

# CARLSBAD POLICE DEPARTMENT

## Confidential Personnel Report (§832.7 PC)

### INTERNAL Investigation

Name (Last, First): SISCO, TARYN

IA #: 13-1A-07

Cross filed to: N/A

Date received: 3-20-13

Date filed: 6-24-13

Purge date: 6-24-15

#### CHECKLIST

DATE	INITIALS	NA	
3-20-13	MW		Supervisor's Complaint Summary
4-18-13	MW		Employee Noticed and Acknowledged
5-10-13	MW		Associated Reports / CAD log attached
5-10-13	MW		Witness list attached
5-10-13	MW		IA Investigative narrative complete
5-13-13	MM		Forwarded for supervisory review
5-20-13	MM		Supervisory review completed and findings attached
			Disposition letter attached
6-24-13	MW		Notice of Intent to discipline attached
		X	Employee statement attached
6-24-13	MW		Skelly copies made and distributed to employee and Skelly officer
9-16-13	MW		Imposed discipline documentation / verification attached
			Audio / Video recordings / reports burned to disc and attached
			Other evidence attached (specify):
9-16-13	MW		Chief advised of final disposition

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## CARLSBAD POLICE DEPARTMENT INTERNAL AFFAIRS INVESTIGATION #13-IA-07

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12. SDSO inquiry on Sgt. Williams' use of ESUN, SD LAW, and County Locals to inquire on [REDACTED] on 4-22-13.
13. SDSO inquiry on all Carlsbad PD employees' use of ESUN, SD LAW, and County Locals to inquire on [REDACTED] and the suspect vehicle license plate, CA # [REDACTED], on 3-14-13.
14. SDSO inquiry on all Carlsbad PD employees' use of County Locals to inquire on [REDACTED] between 6-1-12 and 3-14-13.
15. Daily Patrol schedules for E2 on 3-14-13, and D2 and E2 on 3-16-13

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- 1 16. DMV registration printout for the suspect vehicle license plate, CA # [REDACTED]
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- 19 25. Court minutes for [REDACTED]'s case, [REDACTED], showing her being placed on fourth waiver
- 20 probation.
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- 22 26. Copies of information available from EJIMS for [REDACTED]
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- 25
- 26 28. Officer Notices and Admonishments

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## CARLSBAD POLICE DEPARTMENT INTERNAL AFFAIRS INVESTIGATION #13-IA-07

### CHRONOLOGY

3/14/13 at 2103 hours Off. Sisco conducted a traffic stop that led to the arrest of a suspect for DUI and narcotics related offenses. Off. Sisco documented the incident with an arrest report; Carlsbad Police case 13-01544.

3/14/13 Sgt. Beronda spoke with Off. Sisco after the arrest, at the Carlsbad Police Station, and received several explanations regarding the probable cause for the initial traffic stop.

3/20/13 Sgt. Beronda reviewed Off. Sisco's report regarding this arrest and the CAD printout detailing this incident and had suspicions regarding Off. Sisco's accuracy and truthfulness in her discussion with him following the arrest, and while writing her police report.

3/20/13 Sgt. Beronda prepared a Supervisor's Complaint Summary report detailing his suspicions regarding Off. Sisco's conduct.

4/16/13 I was assigned to investigate this complaint.

4/18/13 Sgt. Beronda was interviewed regarding this investigation.

4/18/13 Lt. May was interviewed regarding this investigation.

4/23/13 Off. Sisco was interviewed regarding this investigation. Following the interview, Off. Sisco was placed on paid administrative leave.

4/26/13 Sgt. Thomas was interviewed regarding this investigation.

5/1/13 Sgt. Chase was interviewed regarding this investigation.

5/9/13 Off. Thompson was interviewed regarding this investigation.

5/9/13 Off. Torres was interviewed regarding this investigation.

5/9/13 Off. Richards was interviewed regarding this investigation.

1 5/10/13 The completed investigation was forwarded to Lt. Mendes.  
2  
3

2

**CARLSBAD POLICE DEPARTMENT**  
2560 ORION WAY, CARLSBAD, CA 92010

**SUPERVISOR'S COMPLAINT SUMMARY**

TO BE COMPLETED BY LIEUTENANT OR SERGEANT

COMPLAINANT'S NAME			DATE OF BIRTH		HOME PHONE	
Sgt. Richard Beronda #5265						
COMPLAINANT'S ADDRESS		CITY	STATE	ZIP	BUSINESS PHONE	
Carlsbad Police Department		Carlsbad	CA	92010	760-931-2136	
LOCATION OF INCIDENT		CITY	ZIP	DATE AND TIME OF INCIDENT		
7662 El Camino Real		Carlsbad	90009	03-14-13/2103 hours		
NAME(S) OF POLICE PERSONNEL INVOLVED						
Off. Taryn Sisco #5426						
BRIEF NARRATIVE OF COMPLAINT						
See attached.						
CONTINUE ON ADDITIONAL SHEETS IF NECESSARY						
EMPLOYEE RECEIVING COMPLAINT: <u>Sgt. Beronda</u>						
TIME & DATE: <u>03-20-13/2200 hours</u>						
<input checked="" type="checkbox"/> IN PERSON <input type="checkbox"/> U.S.MAIL <input type="checkbox"/> MESSENGER/CERTIFIED MAIL <input type="checkbox"/> OTHER: _____						
<b>PROFESSIONAL STANDARDS USE ONLY</b>						
REVIEWED BY: _____ DATE: _____ I.A. CASE # <u>13-1A-07</u>						
NATURE: <input type="checkbox"/> Use of Force <input checked="" type="checkbox"/> Honesty, <input type="checkbox"/> Race/Bias, <input type="checkbox"/> Civil Rights, <input type="checkbox"/> Other:						
ASSIGNED FOR INVESTIGATION						
<input checked="" type="checkbox"/> Yes, assigned to: <u>SGT. WILLIAMS</u>						
<input type="checkbox"/> No, complaint RESOLVED per Department Policy.						
Officer's acknowledgement: _____ Date: _____						
Division Commander: _____ Date: _____						

3-20-13

On 3-14-13, I had a conversation with Off. Sisco in the evidence packaging room about an arrest she had made at 7662 El Camino Real in Carlsbad (Case 13-01544). Off. Sisco told me that she observed the suspect vehicle drive through the parking lot of the location from the Circle K to Flippin Pizza and observed a couple of equipment violations on the vehicle. I told her that the vehicle code violations that she observed did not apply due to the vehicle being driven on private property. Off. Sisco told me that the passenger was on 4<sup>th</sup> waiver. I asked her when she knew that information. Off. Sisco told me that she ran the vehicle plate, ran the R/O on E-Jims, confirmed that the passenger was the R/O and was on probation with a 4<sup>th</sup> waiver. She told me that she did not stop the vehicle but that it parked and she stopped behind it to conduct a 4<sup>th</sup> waiver compliance check.

The report was completed after my shift ended and was reviewed by Sgt. Thomas who worked the next day shift.

On 3-16-13, Lt. May, Sgt. Chase and I were in the Watch Commander's office where Sgt. Chase discussed a case that she had a conversation with Off. Sisco about a shoplifting arrest. Sgt. Chase explained that the conversation with Off. Sisco made her feel as if Off. Sisco may have fabricated information in order to meet the elements of the crime. This conversation made me recall Case 13-01544 and made me suspicious.

On 3-20-13, I reviewed Case 13-01544 and Off. Sisco's unit history for the day. The unit history showed that she ran the plate of the car from the arrest at 2101 hours. The history also showed that she made a traffic stop at 2103 hours. Based upon the statement that she made to me on 3-14-13, she would have had to do all of the computer work she claimed in less than two minutes which is unlikely.

I fear that Off. Sisco may have distorted that facts in this case in violation of CBPD Policy 3.44.1.1 and feel that it should be investigated to clarify.

Sgt. Richard Beronda #5265

3

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## CARLSBAD POLICE DEPARTMENT INTERNAL AFFAIRS INVESTIGATION #13-IA-07

Date Opened: 3-20-13  
Date of Incident: 3-14-13  
IA Case #: 13-IA-07  
Related Case: None  
Complainant: Sergeant Richard Beronda #5265  
Investigator(s): Sergeant Mickey Williams #5221  
Personnel Involved: Officer Taryn Sisco #5426

### INTRODUCTION

On 3-20-13, Sgt. Beronda submitted a Supervisor's Complaint Summary detailing an incident that occurred on 3-14-13; Carlsbad Police case 13-01544. Sgt. Beronda stated that he had suspicions regarding the accuracy and truthfulness of comments made by Off. Sisco to Sgt. Beronda on 3-14-13 in addition to the accuracy and truthfulness of a portion of Off. Sisco's arrest report.

On 4-16-13, I was assigned to conduct this investigation.

### METHODOLOGY

Interviews of the involved personnel and listed witnesses were conducted in person in my office and were digitally recorded. The recordings were saved to computer and transferred to disc.

The following items were collected and reviewed as part of this investigation:

- Item 1: Supervisor's Complaint Summary prepared by Sgt. Beronda
- Item 2: Carlsbad Police arrest report 13-01544 prepared by Off. Sisco
- Item 3: DMV form 367, Officer's Statement prepared and signed by Off. Sisco
- Item 4: Carlsbad Police Dispatch CAD report for this incident (Carlsbad Police Incident number CB130018061; case number 13-01544)
- Item 5: Carlsbad Police Dispatch CAD report detailing Off. Sisco's unit history for 3-14-13

1 Item 6: ESUN, County Locals, and SDLAW computer inquiry search for Off. Sisco related to  
2 [REDACTED] and vehicle license plate number [REDACTED] between 3-1-13 and 3-20-  
3 13, received from Jessica O'Leary at the San Diego County Sheriff's Department  
4

5 Item 7: ESUN, County Locals, and SDLAW computer inquiry search for Off. Sisco related to [REDACTED]  
6 [REDACTED] and vehicle license plate number [REDACTED], between 3-1-13 and 3-20-13,  
7 received from Jessica O'Leary at the San Diego County Sheriff's Department  
8

9 Item 8: ESUN, County Locals, and SD LAW computer inquiry search for the entire Carlsbad  
10 Police Department related to [REDACTED] and vehicle license plate number [REDACTED]  
11 on 3-14-13, received from Chris Saulpaugh at the San Diego County Sheriff's  
12 Department  
13

14 Item 9: ESUN, County Locals, and SD LAW computer inquiry search for me (Sgt. Williams)  
15 related to [REDACTED] on 4-22-13, received from Chris Saulpaugh at the San Diego  
16 County Sheriff's Department  
17

18 Item 10: County Locals computer inquiry search for the entire Carlsbad Police Department  
19 related to [REDACTED] between 6-1-12 and 3-14-13, received from Jessica O'Leary at  
20 the San Diego County Sheriff's Department  
21

## 22 BACKGROUND

23  
24 On 3-14-13, Off. Sisco was assigned as a uniformed police officer scheduled to work 1700 to  
25 0500 hours. Off. Sisco was assigned as a solo officer unit; her call sign was 48-Paul. Sgt.  
26 Beronda was assigned as Off. Sisco's patrol sergeant and worked scheduled hours of 1600 to  
27 0400 hours. Lt. May was assigned as the uniformed watch commander for a portion of the  
28 shift.  
29

30 On 3-20-13, Sgt. Beronda submitted a Supervisor's Complaint Summary regarding a traffic stop  
31 that led to an arrest by Off. Sisco, on 3-14-13. Sgt. Beronda's Supervisor Complaint Summary  
32 contains essentially the following information.  
33

34 On 3-14-13, following the arrest, during the course of Sgt. Beronda's duties as a  
35 supervisor, he spoke with Off. Sisco regarding the arrest. Off. Sisco initially told Sgt.  
36 Beronda that she stopped the suspect vehicle for equipment violations while driving  
37 through a parking lot. Sgt. Beronda advised Off. Sisco that vehicle code equipment  
38 violations did not apply in an off-highway parking lot. Off. Sisco then told Sgt. Beronda  
39 that she stopped the vehicle to conduct a fourth-waiver probation check on the  
40 registered owner of the vehicle, who was riding as a passenger in the vehicle. Sgt.  
41 Beronda asked Off. Sisco when she learned of the suspect's probationary status. Off.  
42 Sisco told Sgt. Beronda that prior to conducting the traffic stop, she conducted an  
43 inquiry on the suspect vehicle license plate, ran the registered owner of the vehicle ([REDACTED])

1 [REDACTED] in EJIMS, confirmed that the passenger in the vehicle was the registered owner,  
2 and confirmed that the registered owner was on fourth waiver probation status.

3  
4 Off. Sisco later prepared a written arrest report documenting the incident. The report  
5 was approved by Sgt. Thomas who worked the next shift.

6  
7 On 3-20-13, Sgt. Beronda reviewed Off. Sisco's approved report documenting this  
8 incident and noted that less than two minutes had transpired between the time that  
9 Off. Sisco ran the suspect vehicle license plate and the time of the traffic stop. Sgt.  
10 Beronda was suspicious regarding Off. Sisco's ability to perform all of the inquiries that  
11 she had told Sgt. Beronda she had, regarding the vehicle and registered owner in less  
12 than two minutes.

13  
14 See Sgt. Beronda's attached written Supervisor's Complaint Summary attached to this  
15 investigation.

16  
17 I obtained a copy of Off. Sisco's prepared eight page report documenting this incident (Carlsbad  
18 Police case 13-01544). I obtained a printed copy of the DMV form 367, copies of the Carlsbad  
19 Police Department CAD report documenting this incident, and the Carlsbad Police CAD report  
20 documenting Off. Sisco's unit history for 3-14-13.

21  
22 A review of Off. Sisco's report revealed the following information.

23  
24 *"On 03-14-13, at approximately 2103 hours, I conducted a traffic stop on California*  
25 *license plate [REDACTED] due to the registered owner of the vehicle, [REDACTED] being*  
26 *affirmative 4<sup>th</sup> waiver."* (Page 5 of 8; lines 2-3)

27  
28 And

29  
30 *"On 03-14-13, at approximately 2103 hours, I observed a male, later identified as*  
31 *[REDACTED] get in the driver seat of the above vehicle. I then observed a female, later*  
32 *identified as [REDACTED] get in the front passenger seat of the vehicle. The California*  
33 *license plate [REDACTED] was registered to [REDACTED]. ejims revealed [REDACTED] was*  
34 *affirmative 4<sup>th</sup> waiver. I located a picture of [REDACTED] on ejims. I recognized the*  
35 *passenger of the vehicle/registered owner of the vehicle, to be [REDACTED] due to the*  
36 *picture located on ejims. I observed Kulick drive the vehicle from the Circle K across the*  
37 *parking lot to Flippin' Pizza. Kulick parked the vehicle. I then conducted a traffic stop to*  
38 *conduct a 4<sup>th</sup> waiver compliance check for [REDACTED]"* (Page 5 of 8; lines 7-14)

39  
40 And

41  
42 *"I contacted [REDACTED] at the driver side window of the vehicle. [REDACTED] was sitting in the*  
43 *passenger seat of the vehicle. I told [REDACTED] and [REDACTED] I stopped the vehicle to do a 4<sup>th</sup>*

1           waiver compliance check for [REDACTED] [REDACTED] stated she was on probation and had an  
2           affirmative 4<sup>th</sup> wavier status." (Page 5 of 8; lines 34-36)

3  
4       I reviewed the DMV DS 367 form that was signed by Off. Sisco on 3-14-13. Off. Sisco indicated  
5       on the form that she personally served a copy of the Order of Suspension to the driver. Above  
6       where Off. Sisco signed the form near the bottom of page one, the form states, "I certify under  
7       penalty of perjury, under the laws of the State of California, that the information contained on  
8       all pages of this Officer's Statement is true and correct". Off. Sisco's signature is located on the  
9       form. On page two of the form, Off. Sisco wrote the probable cause for the traffic stop. The  
10      form states on page two, "Describe in detail the facts and circumstances that led to the stop or  
11      contact." Off. Sisco handwrote the following information.

12  
13           *"On 03-14-13 at about 2103 hours I stopped California license plate [REDACTED]. The*  
14           *vehicle did not have a center brake light that worked. I also ran the license plate and the*  
15           *registered owner of the vehicle was [REDACTED]. I saw [REDACTED] get into the passenger*  
16           *side of the vehicle. SDLAW provided me information that [REDACTED] was affirmative 4<sup>th</sup>*  
17           *waiver. The description of [REDACTED] in the front passenger seat matched the picture in*  
18           *SDLAW."*

19  
20      A review of the two page Carlsbad Police Dispatch CAD report for this incident (Carlsbad Police  
21      Incident number CB130018061; case number 13-01544) revealed the following information.

- 22  
23           • At 21:03:14, Off. Sisco initiated a traffic stop on license plate [REDACTED]  
24           • At 21:06:41, Off. Sisco conducted an inquiry on [REDACTED] and [REDACTED]'s  
25           driver's licenses.  
26           • At 21:07:40, Off. Torres arrived on scene to cover Off. Sisco.  
27           • At 21:08:47, Off. Thompson arrived on scene to cover Off. Sisco.  
28           • At 21:19:31, Off. Sisco advised she had made an arrest.  
29           • At 22:04:50, Off. Sisco transported [REDACTED] to the Carlsbad Police Station.  
30           • At 22:11:41, Off. Sisco arrived at the Carlsbad Police Station.  
31           • At 23:09:50, Off. Sisco transported [REDACTED] to the Vista Detention Facility.  
32           • At 23:19:08, Off. Sisco arrived at the Vista Detention Facility.

33  
34      A review of the three page Carlsbad Police Dispatch CAD report detailing Off. Sisco's unit history  
35      for 3-14-13 revealed the following information. There was no indication that Off. Sisco had  
36      conducted any inquiries on [REDACTED] or [REDACTED] prior to the traffic stop.

- 37  
38           • At 21:01:36, Off. Sisco conducted an inquiry on license plate [REDACTED]  
39           • At 21:03:14, Off. Sisco conducted a traffic stop on license plate [REDACTED]  
40  
41  
42  
43

**SUMMARY OF ALLEGATIONS – OFFICER TARYN SISCO**

Sgt. Beronda alleges that Off. Sisco possibly provided false information to Sgt. Beronda, and authored either a false or inaccurate police report related to Carlsbad Police incident number CB130018061; case number 13-01544, that occurred on March 14<sup>th</sup>, 2013. If true, this is a possible violation of the following Carlsbad Police Department Policies:

**Allegation 1****Policy 340.3.5 (i) - PERFORMANCE**

(i) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction and/or mutilation of any department record, book, paper or document.

**Allegation 2****Policy 340.3.5 (o) - PERFORMANCE**

(o) Criminal, dishonest, infamous or disgraceful conduct adversely affecting the employee/employer relationship, whether on- or off-duty.

**Allegation 3****Policy 340.3.5 (p) - PERFORMANCE**

(p) Failure to disclose or misrepresenting material facts, or the making of any false or misleading statement on any application, examination form, or other official document, report or form or during the course of any work-related investigation.

**Allegation 4****Policy 340.3.5 (aa) - PERFORMANCE**

(aa) Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its members.

**Allegation 5****Policy 340.3.5 (ad) - PERFORMANCE**

(ad) Giving false or misleading statements, or misrepresenting or omitting material information to a supervisor, or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

**Allegation 6****Policy 340.3.5 (m) - PERFORMANCE**

(m) Any knowing or negligent violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. The Department shall make this manual available to all employees. Employees shall familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.

To wit:

#### **344.1.1 REPORT PREPARATION**

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

#### **INVESTIGATION**

On 4-16-13, Sgt. Jackowski received the results of a San Diego Sheriff's Department (SDSO) inquiry into the use of the ESUN, County Locals, and SD LAW computer databases by Off. Sisco (ARJIS # 5426) between 3-1-13 and 3-20-13, to inquire on [REDACTED] and the license plate number of the suspect vehicle, CA # [REDACTED]. These results were received from Jessica O'Leary at the SDSO Communications Center. The results showed that Off. Sisco had not conducted any County Locals inquiries on [REDACTED] during this time period. The results showed the following information:

- On 3-14-13 at 21:01:37 hours, Off. Sisco conducted an inquiry on the suspect vehicle license plate.
- On 3-15-13 at 02:33:20 hours, Off. Sisco conducted an inquiry on the suspect vehicle license plate.
- On 3-15-13 at 04:14:48 hours, Off. Sisco conducted an EJIMS inquiry on [REDACTED]
- On 3-15-13 at 17:33:37 hours, Off. Sisco conducted an EJIMS inquiry on [REDACTED]

On 4-17-13, I received the results of a SDSO inquiry into the use of the ESUN, County Locals, and SD LAW computer databases by Off. Sisco (ARJIS # 5426) between 3-1-13 and 3-20-13, to inquire on [REDACTED] and the license plate number of the suspect vehicle, CA # [REDACTED]. These results were received from Jessica O'Leary at the SDSO Communications Center. The

1 results showed that Off. Sisco had not conducted any County Locals inquiries on [REDACTED]  
2 during this time period. The results showed the following information:

- 3 • On 3-14-13 at 21:01:37 hours, Off. Sisco conducted an inquiry on the suspect vehicle  
4 license plate.
- 5 • On 3-14-13 at 21:02:03 hours, Off. Sisco conducted an EJIMS inquiry on [REDACTED]
- 6 • On 3-15-13 at 02:33:20 hours, Off. Sisco conducted an inquiry on the suspect vehicle  
7 license plate.

8  
9 **INTERVIEW OF SGT. BERONDA**

10  
11 On 4-18-13, at approximately 1629 hours, Sgt. Jackowski and I interviewed Sgt. Beronda. The  
12 interview was conducted in my office at the Carlsbad Police Station. Sgt. Beronda was not  
13 accompanied by a representative. Sgt. Beronda was ordered to provide full and complete  
14 answers to all of our questions under the penalty of insubordination and the resulting  
15 punishment. Sgt. Beronda stated he understood this order. I audio recorded the interview.  
16 The interview was concluded at approximately 1713 hours. This interview was transcribed and  
17 a copy of the transcription is included in this investigation. Sgt. Beronda provided us with the  
18 following information.

19  
20 On 3-14-13, Sgt. Beronda was a patrol sergeant assigned to the E2 patrol shift. Sgt.  
21 Beronda was scheduled to work from 1600 to 0400 hours. Off. Sisco was assigned to his  
22 shift and she worked 1700 to 0500 hours.

23  
24 Sgt. Beronda stated that effective the first week of March 2013, his shift began making it  
25 a requirement for officers to have the probable cause declarations approved by a  
26 supervisor prior to booking suspects into jail.

27  
28 On 3-14-13, Sgt. Beronda was aware that Off. Sisco had made a narcotics related arrest  
29 following a traffic stop near the Flippin' Pizza located in a shopping center in the 7600  
30 block of El Camino Real. After the arrest, Sgt. Beronda made contact with Off. Sisco in  
31 the evidence packaging room. Sgt. Beronda spoke with Off. Sisco regarding the  
32 circumstances of the arrest. Sgt. Beronda did not have any suspicions of wrong doing on  
33 the part of Off. Sisco. Off. Sisco told Sgt. Beronda what led her to making the traffic stop  
34 on the suspect vehicle. Off. Sisco told Sgt. Beronda that she had initially seen the  
35 suspect vehicle parked near the Circle K store (located in the same shopping center as  
36 Flippin' Pizza). Off. Sisco saw a female later identified as the registered owner get into  
37 the vehicle as a passenger. Off. Sisco recognized the female as the owner ([REDACTED])  
38 from the photograph that she had looked at on her computer, and she knew that the  
39 owner was on fourth waiver probation status. I asked Sgt. Beronda if Off. Sisco told him  
40 where she learned [REDACTED] was on fourth waiver probation. Sgt. Beronda said that  
41 Off. Sisco referred to some of the computer databases on the car computer but he could  
42 not specifically remember which one. Off. Sisco relayed to Sgt. Beronda that all of these  
43 computer inquiries occurred between the time she saw the vehicle parked at Circle K  
44 and the time of the stop near Flippin' Pizza.

1  
2 Off. Sisco saw the vehicle drive through the parking lot to the Flippin' Pizza, never  
3 entering a public highway, remaining in the private parking lot the entire time. Off.  
4 Sisco told Sgt. Beronda that she saw two or three minor vehicle code violations. Sgt.  
5 Beronda could not remember the exact vehicle code violations that Off. Sisco  
6 mentioned but he believed one was related to a taillight not functioning properly and  
7 possibly a violation related the vehicle's registration status. Sgt. Beronda told Off. Sisco  
8 that the vehicle code violations did not apply in a private parking lot. Off. Sisco then  
9 told Sgt. Beronda that the driver was unlicensed. Sgt. Beronda told Off. Sisco that the  
10 driver's license offense also did not apply on private property. Off. Sisco then told Sgt.  
11 Beronda that the passenger was on fourth waiver probation. Sgt. Beronda asked Off.  
12 Sisco when she learned that information. Off. Sisco told Sgt. Beronda that she knew the  
13 passenger was on fourth waiver probation prior to making the traffic stop. Off. Sisco  
14 explained that prior to the traffic stop she ran the vehicle's license plate, then looked up  
15 the registered owner's picture ( [REDACTED] ), all on her patrol vehicle computer. Off.  
16 Sisco then verified that the female passenger that Off. Sisco saw get into the vehicle was  
17 the registered owner by using the photograph Off. Sisco had found in her computer, of  
18 the registered owner. After she confirmed that the passenger was the registered owner  
19 who was fourth waiver status, she stopped the vehicle by Flippin' Pizza. Sgt. Beronda  
20 was not sure if he had approved Off. Sisco's probable cause declaration associated with  
21 this arrest.

22  
23 Off. Sisco then described how the traffic stop was made. Sgt. Beronda said that Off.  
24 Sisco said that the suspect vehicle pulled into a parking spot and she either parked  
25 behind or near the suspect vehicle, and then walked to the vehicle.

26  
27 At some time during this conversation Lt. May walked into the evidence packaging  
28 room.

29  
30 Sgt. Beronda told Off. Sisco that it sounded like she had proper probable cause to make  
31 the traffic stop but he instructed her to write her report with the important facts. Sgt.  
32 Beronda told Off. Sisco that the vehicle code violations that she noted were not  
33 necessarily important because they did not apply. Sgt. Beronda felt that he used this  
34 opportunity to teach Off. Sisco. After this discussion with Off. Sisco, Sgt. Beronda felt  
35 that Off. Sisco had the proper probable cause to make this detention due to the fact  
36 that Off. Sisco knew of Rae Hebert's fourth waiver probation status prior to making the  
37 traffic stop.

38  
39 Sgt. Beronda did not see Off. Sisco's report that shift. The report was approved by Sgt.  
40 Thomas. Sgt. Beronda said that he later reviewed Off. Sisco's report. I asked Sgt.  
41 Beronda why he reviewed Off. Sisco's report.

42  
43 Sgt. Beronda stated that on about 3-16-13, he, Lt. May, and Sgt. Chase had a meeting in  
44 the watch commander's office. During that meeting, Sgt. Chase mentioned an incident

1 where Off. Sisco arrested two juveniles at the mall (Carlsbad Police case 13-01100). Sgt.  
2 Chase described her conversation with Off. Sisco regarding these arrests. Sgt. Chase  
3 questioned Off. Sisco about the presence of the elements for the arrest. Off. Sisco then  
4 suddenly remembered that the elements to support the arrest existed but that she  
5 would check her notes to make sure. The additional information to support the  
6 elements of the arrest was associated with the statements made by the suspects. Sgt.  
7 Chase told Sgt. Beronda that she felt that Off. Sisco might have been making up this  
8 additional information. At that time, Sgt. Beronda reflected back on his conversation  
9 with Off. Sisco regarding the arrest of the narcotics suspect during the traffic stop near  
10 Flippin' Pizza. Sgt. Beronda recognized that during his previous conversation with Off.  
11 Sisco, the probable cause for the stop changed from traffic violations to a fourth waiver  
12 compliance check.

13  
14 Sgt. Beronda then reviewed a copy of Off. Sisco's arrest report and the CAD printout for  
15 Off. Sisco's unit history on 3-14-13. Sgt. Beronda noted on Off. Sisco's CAD unit history  
16 there was less than two minutes that elapsed from the time that Off. Sisco ran the  
17 suspect vehicle's license plate to the time that Off. Sisco broadcasted the traffic stop at  
18 Flippin' Pizza. Sgt. Beronda felt this was suspicious based on his training and experience,  
19 for an officer to conduct the computer inquiries that Off. Sisco had described while  
20 confirming [REDACTED]'s fourth waiver probation status, it would likely take longer than  
21 two minutes.

22  
23 Sgt. Beronda explained that based on his conversation with Sgt. Chase following this  
24 incident, Sgt. Beronda's review of Off. Sisco's CAD unit history and noting that less than  
25 two minutes elapsed from the time of the vehicle plate inquiry and the traffic stop, and  
26 how Off. Sisco's probable cause continued to change when challenged by Sgt. Beronda,  
27 he felt that Off. Sisco's conduct should be further investigated. As a result, on 3-20-13,  
28 Sgt. Beronda prepared the Supervisor's Complaint Summary Form and forwarded it to  
29 Lt. Mendes.

30  
31 I asked if Sgt. Beronda knew if either Lt. May or Sgt. Chase had discussed this incident  
32 with Off. Sisco. Sgt. Beronda did not believe that either of them had spoken to Off. Sisco  
33 about this arrest.

34  
35 I asked Sgt. Beronda if he had spoken with Off. Sisco at any time following his  
36 conversation with her in the evidence packaging room on 3-14-13, regarding this  
37 incident. Sgt. Beronda said, no.

38  
39 Sgt. Jackowski asked Sgt. Beronda if an officer can access fourth waiver probation  
40 information through EJIMS. Sgt. Beronda explained that an officer would have to go  
41 through the county mainframe computer to obtain probation information. However,  
42 Sgt. Beronda noted that EJIMS has hyperlinks that an officer can click on, that would  
43 take them to a sign in page for the county mainframe (County Locals) computer. The

1 officer would have to enter their password for the county mainframe computer and  
2 then the officer would get information including probation status.

3  
4 At the conclusion of the interview, Sgt. Beronda was ordered per a printed Carlsbad Police  
5 Interview Admonition for Peace Officers, to not discuss this interview or investigation with  
6 anyone except a legal representative. Sgt. Beronda stated that he understood this order.

7  
8 **INTERVIEW OF LT. MAY**  
9

10 On 4-18-13, at approximately 1805 hours, Sgt. Jackowski and I interviewed Lt. May. The  
11 interview was conducted in my office at the Carlsbad Police Station. Lt. May was not  
12 accompanied by a representative. Lt. May was ordered to provide full and complete answers to  
13 all of our questions under the penalty of insubordination and the resulting punishment. Lt. May  
14 stated he understood this order. I audio recorded the interview. The interview was concluded  
15 at approximately 1825 hours. This interview was transcribed and a copy of the transcription is  
16 included in this investigation. Lt. May provided us with the following information.

17  
18 Lt. May is Sgt. Beronda's supervisor and Off. Sisco works under his command. On 3-14-  
19 13, Lt. May was preparing to leave work and had already changed into his civilian  
20 clothes when he went to advise Sgt. Beronda that he was leaving for the night. Lt. May  
21 found Sgt. Beronda in the evidence packaging room with Off. Sisco. Sgt. Beronda and  
22 Off. Sisco were discussing the probable cause Off. Sisco had to stop a vehicle that  
23 resulted in a drug arrest. It sounded to Lt. May that Sgt. Beronda was trying to explain  
24 to Off. Sisco how to fix her report to document the incident.

25  
26 Lt. May remembered Sgt. Beronda asking Off. Sisco, "Well, when did you run the  
27 driver?" or "the occupant of the car?" Lt. May remembered Off. Sisco saying something  
28 about the suspects being near the Circle K and she ran the license plate and then the  
29 registered owner of the vehicle to determine if the registered owner was on fourth  
30 waiver probation. I asked Lt. May if he remembered Off. Sisco telling Sgt. Beronda that  
31 before she made the traffic stop, she ran the vehicle and the registered owner and  
32 found out the registered owner was on fourth waiver. Lt. May stated, "I believe that's  
33 what she stated that night." Lt. May then explained that either Off. Sisco said that or  
34 Sgt. Beronda told Lt. May that when he entered the evidence packaging room.

35  
36 I asked Lt. May if he had planned to meet with Sgt. Beronda and Off. Sisco in the  
37 evidence packaging room and he said, no. Lt. May said that prior to joining in their  
38 conversation, he was not aware of Off. Sisco's arrest earlier in the night. Lt. May  
39 estimated that he was present for about 5 or 10 minutes of the conversation between  
40 Sgt. Beronda and Off. Sisco.

41  
42 Lt. May explained that patrol wide, a new change had been made and supervisors were  
43 now expected to check officers' probable cause declarations before booking. Lt. May  
44 stated that this new rule went into effect within the last 30 to 45 days. Lt. May knew

1 that he did not check Off. Sisco's probable cause declaration on this case and he did not  
2 know if anybody else did.

3  
4 Lt. May stated that he had no reason to doubt Off. Sisco's truthfulness to Sgt. Beronda  
5 or the accuracy of her police report.

6  
7 Lt. May reviewed Off. Sisco's written arrest report during the interview. After reading  
8 the report, Lt. May remembered that during the conversation with Sgt. Beronda in the  
9 evidence packaging room, Off. Sisco told them that she had recognized [REDACTED] from  
10 a photograph.

11  
12 At the conclusion of the interview, Lt. May was ordered per a printed Carlsbad Police Interview  
13 Admonition for Peace Officers, to not discuss this interview or investigation with anyone except  
14 a legal representative. Lt. May stated that he understood this order.

15  
16 On 4-18-13, I conducted an EJIMS inquiry on [REDACTED] to determine what information might  
17 be viewed during such a search. The EJIMS inquiry revealed the dates, times, locations, and  
18 charges of previous arrests for [REDACTED]. There is also information regarding the names,  
19 addresses, and telephone numbers of friends or family that have visited [REDACTED] in jail.  
20 There is information related to identification numbers associated with [REDACTED], a notation  
21 of [REDACTED] and AKA's. There is also an inmate booking log that contains a  
22 list of [REDACTED]'s previous bookings in San Diego County. On this log are hyperlinks of court  
23 case numbers. There was no information regarding [REDACTED]'s probationary status or fourth  
24 waiver status located on the EJIMS page.

25  
26 I clicked on the hyperlink of a court case number ([REDACTED]) and was directed to a sign-in page  
27 for the San Diego County Locals mainframe. This page required me to enter my San Diego  
28 County Locals mainframe password. After entered my password, I was presented with court  
29 information associated with the court case number. This information contained court dates,  
30 conviction, and probation information including fourth waiver probation status. I printed  
31 copies of all information viewable on EJIMS and the results of the hyperlink associated with the  
32 court case number.

33  
34 On 4-22-13, I conducted an EJIMS inquiry on [REDACTED]. During this inquiry I clicked on the  
35 hyperlink for court case number [REDACTED]. I was directed to the County Locals mainframe log-  
36 in page and I entered my county password. I then was able to view the court case information  
37 associated with this page that showed [REDACTED]'s fourth waiver probation information. I  
38 conducted this search so that I could request an inquiry through the SDSO into my search  
39 history on 4-22-13, in regards to [REDACTED]. I did this so that I could determine what the  
40 response from SDSO's inquiry would be, so that I could compare it to the response that was  
41 received as a result of the inquiry into Off. Sisco's search history.

42  
43 On 4-23-13, I received the results of a SDSO inquiry into the use of the ESUN, County Locals,  
44 and SD LAW computer databases by me (ARJIS # 5221) on 4-22-13, to inquire on [REDACTED].

1 These results were received from Chris Saulpaugh at the SDSO IT Division. The results showed  
2 the following information:

- 3 • On 4-22-13 at 07:09:20 hours, I conducted an EJIMS inquiry on [REDACTED].
- 4 • On 4-22-13 at 07:09:35 hours, I initiated a DA10 search on court case [REDACTED]  
5 through the County Locals mainframe.

6  
7 On 4-23-13, I received the results of a SDSO inquiry into the use of the ESUN, County Locals,  
8 and SDSLAW computer databases by any employee of the Carlsbad Police Department on 3-14-  
9 13, to inquire on [REDACTED] and the suspect vehicle license plate number CA # [REDACTED]

10 These results were received from Chris Saulpaugh at the SDSO IT Division. The results showed  
11 that no employee of the City of Carlsbad conducted an inquiry on [REDACTED] other than Off.  
12 Sisco's EJIMS inquiry at 21:02:03 hours. The results showed the following information:

- 13 • On 3-14-13 at 21:01:37 hours, Off. Sisco conducted an inquiry on the suspect vehicle  
14 license plate.
- 15 • On 3-14-13 at 21:02:03 hours, Off. Sisco conducted an EJIMS inquiry on [REDACTED]
- 16 • On 3-14-13 at 21:03:15 hours, Dispatcher Ridenour conducted an inquiry on the suspect  
17 vehicle license plate.
- 18 • On 3-14-13 at 21:08:00 hours, Dispatch Supervisor Thim conducted an inquiry on [REDACTED]  
19 [REDACTED]'s driver's license.
- 20 • On 3-14-13 at 21:10:25 hours, Dispatch Supervisor Thim conducted a warrant inquiry on  
21 [REDACTED]
- 22 • On 3-14-13 between 21:14:04 and 21:14:12 hours, Dispatch Supervisor Thim conducted  
23 County Locals inquiries on [REDACTED]
- 24 • On 3-14-13 between 21:15:33 and 21:15:44 hours, Off. Richards conducted three EJIMS  
25 inquiries on [REDACTED]
- 26 • On 3-14-13 between 21:16:46 and 21:16:54 hours, Off. Thompson conducted County  
27 Locals inquiries on [REDACTED]
- 28 • On 3-14-13 at 21:17:38 hours, Off. Thompson conducted an EJIMS inquiry on [REDACTED]  
29 [REDACTED]
- 30 • On 3-14-13 between 21:29:30 and 21:29:33, Dispatch Supervisor Thim conducted  
31 County Locals inquiries on [REDACTED]
- 32 • On 3-14-13 at 22:34:56 and 22:35:18, Off. Garrett conducted EJIMS inquiries on [REDACTED]  
33 [REDACTED]

#### 34 35 **INTERVIEW OF SUBJECT OFF. SISCO**

36  
37 On 4-23 -13, at approximately 1816 hours, Lt. Mendes and I conducted an interview with Off.  
38 Sisco in my office at the Carlsbad Police Station. Off. Sisco was accompanied by Attorney Ken  
39 Yuwiler from the Law Offices of Silver, Hadden, Silver, Wexler, and Levine. Prior to the  
40 interview, I provided Attorney Ken Yuwiler a complete copy of Off. Sisco's arrest report  
41 documenting this incident. Attorney Ken Yuwiler and Off. Sisco had time to meet and discuss  
42 the report prior to the interview. Off. Sisco was ordered to provide full and complete answers  
43 to all of our questions under the penalty of insubordination and the resulting punishment. Off.

1 Sisco stated she understood this order. I audio recorded the interview. The interview was  
2 captured on two recordings due to a convenience break being taken at approximately 1840  
3 hours until 1844 hours. The interview was concluded at approximately 2004 hours. Off. Sisco  
4 provided us with the following information.

5  
6 I asked Off. Sisco to tell me what led to her stopping the suspect vehicle in this case.  
7 Off. Sisco stated that she was driving eastbound in the parking lot and she first saw the  
8 suspect vehicle exiting the Circle K lot in a southbound direction, ahead of her. The  
9 suspect vehicle had its right turn indicator on as the vehicle drove southbound out of  
10 the Circle K lot. The vehicle did not turn right and instead continued southbound  
11 through the parking lot, in front of Off. Sisco's patrol vehicle. The suspect vehicle  
12 passed in front of Off. Sisco, from her left to her right. As the vehicle passed, Off. Sisco  
13 ran the suspect vehicle's license plate on her in-car computer. As the vehicle drove  
14 southbound through the parking lot away from Off. Sisco, she noticed that one of the  
15 vehicle's brake lamps was not operating properly. Off. Sisco explained the vehicle was  
16 being driven very cautiously and the brakes were being utilized as it drove away from  
17 Off. Sisco. Off. Sisco stated that she recognized the name of the registered owner of the  
18 vehicle ( [REDACTED] ). Off. Sisco then said, *"I looked up the name in SD Law, recognized  
19 that to be a female that I have previously seen in SD Law, and remembered with  
20 previous knowledge and seeing previously that she was affirmative fourth wavier."*

21  
22 I questioned Off. Sisco regarding where she first saw the suspect vehicle. Off. Sisco  
23 stated she believed that she first saw the vehicle parked at the Circle K. I asked her if  
24 the vehicle was parked in front of the store and she said she did not remember exactly  
25 where it was parked. Off. Sisco then explained that she had a clear recollection of  
26 seeing the vehicle being driven out of the Circle K lot. Off. Sisco explained that she  
27 believed she remembered seeing the vehicle parked at the Circle K, but the vehicle did  
28 not have her full attention while it was parked. Off. Sisco stated, *"In the parking lot it  
29 was just another car."*

30  
31 Off. Sisco stated that when the suspect vehicle passed her location as it exited the Circle  
32 K lot, she noticed two people inside the vehicle. Off. Sisco said she did not know who  
33 the people were inside the vehicle. I asked Off. Sisco if she saw where the two  
34 occupants of the vehicle came from before they entered the vehicle. Off. Sisco stated,  
35 *"At this point I don't remember. I believe it was Circle K."* I asked Off. Sisco what made  
36 her believe that they came from the Circle K. Off. Sisco told me, *"Because I wrote that in  
37 my report and I remember them also telling me that they were coming from the Circle K  
38 and they were leaving out of the parking lot."* I asked Off. Sisco if she saw the occupants  
39 of the vehicle, outside the vehicle. Off. Sisco told me, *"I believe I did. My clear  
40 recollection of completely seeing them was at the point when I said I saw them inside the  
41 car."* Off. Sisco stated that she did not have a clear recollection of seeing them outside  
42 of the vehicle. I confirmed with Off. Sisco that she had not seen the occupants of the  
43 vehicle outside the vehicle. Off. Sisco stated, *"At this moment right now, my really first*

1 *recollection because that's when I really first looked at the car, was as they were pulling*  
2 *out of the Circle K parking lot."*

3  
4 Off. Sisco then described what happened after the vehicle passed in front of her and  
5 continued southbound through the parking lot. Off. Sisco ran the vehicle license plate  
6 and Off. Sisco drove eastbound through the parking lot and turned right, and drove  
7 southbound in the parking lot. Off. Sisco then looked up the registered owner ([REDACTED]  
8 [REDACTED]) in EJIMS and viewed a booking photograph of [REDACTED]. The suspect vehicle  
9 drove eastbound in the parking lot and parked near Flippin' Pizza. As the vehicle neared  
10 Flippin' Pizza, Off. Sisco notified dispatch that she was going to conduct a traffic stop on  
11 the vehicle. The vehicle parked in a parking spot. Off. Sisco parked her patrol vehicle in  
12 the parking space directly behind the suspect vehicle so that her front bumper was near  
13 the rear bumper of the suspect vehicle. Off. Sisco does not believe that she activated  
14 any emergency lights. The driver of the suspect vehicle, [REDACTED], exited the  
15 vehicle and began walking away. Off. Sisco exited her vehicle and asked [REDACTED]  
16 to return to the suspect vehicle and he complied. [REDACTED] remained in the suspect  
17 vehicle. Off. Sisco did not observe any vehicle code violations related to the suspect  
18 vehicle other than the taillight that was not operating properly.  
19

20 I asked Off. Sisco to explain why she conducted a traffic stop on the suspect vehicle.  
21 Off. Sisco explained that the reason for the stop was to do a fourth waiver compliance  
22 check on [REDACTED]. I asked Off. Sisco to explain what led her to believe that [REDACTED]  
23 [REDACTED] was on probation. Off. Sisco stated that two sources of information led her to  
24 believe that [REDACTED] was on probation. Off. Sisco's reasons were:

- 25 1. Off. Sisco stated that another officer had previously told Off. Sisco that he/she  
26 had intended on conducting a traffic stop on [REDACTED] because [REDACTED]  
27 was on probation, but that other officer had not been able to conduct the traffic  
28 stop on [REDACTED] because the other officer had to respond to a radio call. I  
29 asked Off. Sisco who the officer was that provided her with the information  
30 regarding [REDACTED]'s probationary status and she did not remember. I asked  
31 Off. Sisco where she was when she received this information from this officer  
32 and she could not remember. I attempted to determine the window of time that  
33 Off. Sisco could have received this information. Off. Sisco was sure she received  
34 this information after she was released from training (Off. Sisco estimated June  
35 or July of 2012) and before she conducted this traffic stop on 3-14-13. Off. Sisco  
36 could not narrow this window of time any further. I asked Off. Sisco if she  
37 remembered the kind of radio call that prevented this other officer from making  
38 the traffic stop on [REDACTED] and she could not remember. I asked Off. Sisco if  
39 she was dispatched to the same radio call as the other officer and she could not  
40 remember. I asked Off. Sisco if she was working the same shift as the officer  
41 who provided her with this information and she stated she did not remember. I  
42 asked Off. Sisco if she was working during the daytime or at nighttime when she  
43 received this information from the other officer and she did not remember.  
44

1 Off. Sisco denied having any recollection of ever dealing with [REDACTED] prior to  
2 3-14-13.

3 I asked Off. Sisco if she had ever personally conducted any computer checks on  
4 [REDACTED] that showed [REDACTED] on fourth waiver probation. Off. Sisco said,  
5 *"Not that I know of."* Off. Sisco stated several times that she had never  
6 personally searched [REDACTED] and found that she was on fourth waiver  
7 probation.

8  
9 I asked Off. Sisco if she had ever seen another officer conduct an inquiry on [REDACTED]  
10 [REDACTED] and if she ever saw on the computer that [REDACTED] was on fourth  
11 waiver probation. Off. Sisco stated, *"I have never seen on the computer the*  
12 *actual part that says fourth wavier status, no"*. Off. Sisco further stated,  
13 *"Somebody had pulled up [REDACTED]'s picture and showed me the picture before and*  
14 *told me that she was fourth waiver. How they came up with that information, I*  
15 *did not ask."* I further questioned Off. Sisco regarding if she had previously  
16 (before 3-14-13) seen [REDACTED]'s photograph. Off. Sisco stated, *"My*  
17 *recollection is more so that I remember her name."* I specifically asked Off. Sisco  
18 if she remembered seeing [REDACTED]'s photograph prior to the traffic stop. Off.  
19 Sisco answered, *"I don't believe it. I don't remember if I did or not."*  
20

21 I asked Off. Sisco if when she made the traffic stop if she believed that the  
22 registered owner was in the vehicle. Off. Sisco said, yes. I asked Off. Sisco what  
23 made her believe that the registered owner was in the vehicle. Off. Sisco stated  
24 that she saw [REDACTED] in the vehicle as it passed her when the vehicle was  
25 exiting the Circle K lot. Off. Sisco then ran the license plate and then ran the  
26 registered owner ([REDACTED]) in EJIMS and saw a prior booking photograph of  
27 [REDACTED]. Off. Sisco stated that she believed that the passenger in the vehicle  
28 when it passed her was the registered owner she saw depicted in the  
29 photograph in EJIMS.  
30

31 Off. Sisco mentioned that she did not remember if she had messaged dispatch  
32 prior to the traffic stop, requesting that they run [REDACTED]. Off. Sisco said she  
33 had no recollection of doing that in this case, but she sometimes does that.  
34

- 35 2. After running the suspect vehicle license plate, Off. Sisco ran the registered  
36 owner ([REDACTED]) in SD LAW or EJIMS and saw that [REDACTED] had previously  
37 been arrested for drug related charges. Off. Sisco stated that based on her  
38 training and experience, *"Most of the time it would most likely be that they*  
39 *would be fourth waiver with that."* I asked Off. Sisco if she knew of times were a  
40 person could be arrested for drug related offenses and not be placed on fourth  
41 waiver probation. Off. Sisco stated, when the person is not convicted or when  
42 the case is not filed by the District Attorney's Office.  
43

1 I reviewed the following portions of Off. Sisco's arrest report that she authored  
2 documenting this incident.

- 3 1. I read Off. Sisco the following sentence from the synopsis of her report, 'On 3-  
4 14-13, at approximately 2103 hours, I observed a male, later identified as  
5 [REDACTED] get in the driver's seat of the above vehicle.' I asked Off. Sisco if  
6 she remembered that observation. Off. Sisco stated, *"At this time, I don't recall  
7 if I remember seeing him get in the driver's seat of the vehicle."*
- 8 2. I read Off. Sisco another sentence from her synopsis, 'I then observed a female,  
9 later identified as [REDACTED] get in the front seat of the vehicle.' I asked Off.  
10 Sisco if she remembered making this observation. Off. Sisco stated, *"At this  
11 point, I don't recall if I remember seeing her actually get in the front seat of the  
12 vehicle."*
- 13 3. I read Off. Sisco another sentence from her synopsis, "EJIMS revealed that [REDACTED]  
14 [REDACTED] was affirmative fourth waiver'. I asked Off. Sisco if she remembered  
15 EJIMS providing her with this information. Off. Sisco stated, *"This is my mistake  
16 and I should have put in here that I had previously been informed that EJIMS had  
17 revealed that. This was my mistake by not using the correct language and  
18 putting in the correct words."* Off. Sisco also said, *"I have not personally seen  
19 that, no, and I did not run the actual part that said EJIMS said that she was on  
20 fourth waiver."* Off. Sisco then explained how fourth waiver information is not  
21 actually available in EJIMS. The fourth waiver information is stored in a different  
22 database that requires a different log-in password. I asked Off. Sisco how  
23 frequently she ran people to determine if they were fourth waiver. Off. Sisco  
24 stated that she used to run people frequently in that database but since she got  
25 locked out of her account, she has not been able to run people to check if they  
26 are fourth waiver status. Off. Sisco estimated that she has been locked out of  
27 this computer database for a long time, possibly since September 2012.
- 28 4. I then read Off. Sisco a portion of her investigation detailing the contact with [REDACTED]  
29 [REDACTED] and [REDACTED] following the traffic stop. Off. Sisco's report states  
30 that after stopping the suspects, she told them that she had stopped them to do  
31 a fourth waiver probation compliance check on [REDACTED]. Off. Sisco stated  
32 that this was incorrect. Off. Sisco said, *"This is incorrect. Out of sequence. That  
33 should be later on. I did not initially even tell them why I was talking to them.  
34 When I approached the vehicle, he was getting out and I said hey, you mind just  
35 sitting there real quick while I can talk to you real quick? So I didn't even  
36 necessarily walk up and say I'm stopping your vehicle. It was just more of making  
37 conversation with them, and after he asked me why, after I had already asked  
38 these questions, he asked why I was speaking with them, and I told them that I  
39 was doing a fourth waiver compliance check."*

40  
41 I then spoke with Off. Sisco about her conversation with Sgt. Beronda on 3-14-13, after  
42 this arrest. Off. Sisco remembered speaking with Sgt. Beronda about this traffic stop.  
43 Off. Sisco remembered telling Sgt. Beronda what led to her making this traffic stop. Off.  
44 Sisco told Sgt. Beronda that she had observed the vehicle driving in the parking lot with

1 a brake light not working properly. Off. Sisco stated that Sgt. Beronda interrupted her  
2 and told her that the vehicle code did not apply in the parking lot. Off. Sisco explained  
3 that she was aware of that and she then told Sgt. Beronda that she stopped the vehicle  
4 to conduct a fourth waiver compliance check. Off. Sisco also told Sgt. Beronda that the  
5 driver was unlicensed and she asked Sgt. Beronda if a license was required on private  
6 property. Sgt. Beronda stated that a license was not required. Off. Sisco said that she  
7 did not know that before speaking with Sgt. Beronda. Off. Sisco also asked Sgt. Beronda  
8 if she was authorized to make a DUI arrest on private property and Sgt. Beronda told  
9 her, yes.

10  
11 I spoke with Off. Sisco regarding what she told Sgt. Beronda as it related to her  
12 knowledge of [REDACTED] being on fourth waiver probation. Off. Sisco stated that she  
13 did tell Sgt. Beronda that she ran the suspect vehicle license plate, and then ran the  
14 registered owner ([REDACTED] in EJIMS and confirmed that she was the passenger in the  
15 vehicle. I asked Off. Sisco if she told Sgt. Beronda that she had confirmed that [REDACTED]  
16 [REDACTED] was on fourth waiver status. Off. Sisco said, *'I did not say that I confirmed it. I*  
17 *said I know she was on fourth waiver' and 'I don't believe I said that. I confirmed it.'*  
18

19 I asked Off. Sisco if her report accurately reflected what happened during this incident.  
20 Off. Sisco said, *'There are things that I could change about my report and there are*  
21 *things that I would put in a different order. And there are things, words I might change*  
22 *to accurately portray it to somebody else. In my mind, I understand what's going on.*  
23 *But it could be portrayed incorrectly to somebody else if they were not there.'*  
24

25 Off. Sisco said that she remembers being trained that she was supposed to confirm  
26 somebody's fourth waiver status before conducting a search. I asked Off. Sisco if she  
27 felt she had sufficiently determined that Rae Hebert was on fourth waiver probation  
28 before conducting this traffic stop. Off. Sisco said, *'I believe there's probably more I*  
29 *could have done, and I'm not saying that this is perfect, by no means at all. But what I'm*  
30 *saying is at the time I thought that I had enough knowledge to do that, yes.'*  
31

32 I asked Off. Sisco if she ever documented the prior information that she had receive  
33 from the other officer in this case or in any other case. Off. Sisco said, no. I asked Off.  
34 Sisco if she ever told Sgt. Beronda about this prior information that she had received  
35 regarding [REDACTED]'s fourth waiver probation status. Off. Sisco said, no.  
36

37 At the conclusion of the interview, Off. Sisco was ordered per a printed Carlsbad Police  
38 Interview Admonition for Peace Officers, to not discuss this interview or investigation with  
39 anyone except her legal representative, medical or mental health professionals, family  
40 members or clergy. Off. Sisco stated that she understood this order.  
41

42 On 4-23-13, following the above interview, I advised Off. Sisco per a printed memorandum that  
43 she was immediately being placed on paid administrative leave. This advisement was made in  
44 the presence of Lt. Mendes and Off. Sisco's attorney, Ken Yuwiler. I obtained Off. Sisco's badge,

1 identification card, and department issued pistol and rifle. Off. Sisco signed the memorandum  
2 and stated that she understood the orders. This conversation was not audio recorded.

3  
4 On 4-23-13, I obtained a faxed copy of the Probable Cause Declaration (PCD) prepared by Off.  
5 Sisco regarding the arrest and booking of [REDACTED]. The PCD contained no information  
6 regarding the reason for the traffic stop or any reference to either [REDACTED] or [REDACTED]  
7 being on fourth wavier probation. The PCD stated that Off. Sisco observed Herbert Kulick  
8 driving the vehicle in a parking lot. During a search of a bag located between [REDACTED]'s  
9 legs, Off. Sisco found narcotics and narcotics paraphernalia. See the attached copy of the PCD  
10 for further information.

11  
12 On 4-24-13, I received the results of a SDSO inquiry into the use of the County Locals computer  
13 database by any employee of the Carlsbad Police Department between 6-1-12 and 3-14-13, to  
14 inquire on [REDACTED]. These results were received from Jessica O'Leary at the SDSO  
15 Communications Center. The results showed that there were no inquiries made into [REDACTED]  
16 [REDACTED]'s probation status between 6-1-12 and 3-14-13, by any employee of the Carlsbad Police  
17 Department prior to Off. Sisco's traffic stop. All County Locals inquiries on [REDACTED] were  
18 conducted after the traffic stop by Off. Sisco.

19  
20 On 4-24-13, I received an emailed copy of all the Carlsbad Police Dispatch radio traffic  
21 associated with this incident from Carlsbad Police Dispatch Communications Manager Joan  
22 Mabrouk. I listened to this audio recording and noted the following information.

23  
24 Off. Sisco (48-Paul) is heard broadcasting an 11-49 (traffic stop) at the Flippin' Pizza near  
25 La Costa Ave. and El Camino Real. Off. Sisco provided the suspect vehicle license plate  
26 number. Off. Sisco then asks for, "A second routine" (routine cover unit). Off. Sisco then  
27 conducts an inquiry through CPD dispatch on [REDACTED] and [REDACTED] by  
28 providing their driver's license numbers. CPD dispatch advised Off. Sisco that [REDACTED]  
29 [REDACTED] was on fourth waiver probation and he had a suspended driver's license. CPD  
30 dispatch then advised Off. Sisco that [REDACTED] was on fourth wavier probation and  
31 she had a valid driver's license. Off. Sisco advised that she was Code-4 and that she was  
32 conducting a search. Off. Sisco then advised that she made an arrest. Off. Thompson  
33 (47-Paul) is heard conducting an inquiry through CPD dispatch on four pills, by giving  
34 descriptions of the pills to dispatch. Off. Torres (47-Edward) conducted an inquiry on a  
35 name of a person, asking if they were a reported victim of a crime. Off. Thompson  
36 requested a case number for Off. Sisco. Off. Sisco advised that she would be  
37 transporting her prisoner ([REDACTED]) to CPD and requested a blood technician. Off.  
38 Sisco arrived at CPD and later transported [REDACTED] to the Vista Detention Facility.

#### 40 INTERVIEW OF SGT. THOMAS

41  
42 On 4-26-13, at approximately 1304 hours, I interviewed Sgt. Thomas. The interview was  
43 conducted in my office at the Carlsbad Police Station. Sgt. Thomas was not accompanied by a  
44 representative. Sgt. Thomas was ordered to provide full and complete answers to all of my

1 questions under the penalty of insubordination and the resulting punishment. Sgt. Thomas  
2 stated he understood this order. I audio recorded the interview. The interview was concluded  
3 at approximately 1309 hours. This interview was transcribed and a copy of the transcription is  
4 included in this investigation. Sgt. Thomas provided me with the following information.

5  
6 Sgt. Thomas remembered reading and approving Off. Sisco's report documenting this  
7 incident. Sgt. Thomas believes that the report was in the patrol in-basket and he  
8 obtained the report from there for approval. Sgt. Thomas does not have any  
9 recollection of speaking with Off. Sisco regarding this report. Sgt. Thomas has no  
10 recollection of ever having any interaction with either [REDACTED] or [REDACTED]. Sgt.  
11 Thomas was working overtime as a patrol sergeant when he approved this report on 3-  
12 16-13.

13  
14 At the conclusion of the interview, Sgt. Thomas was ordered per a printed Carlsbad Police  
15 Interview Admonition for Peace Officers, to not discuss this interview or investigation with  
16 anyone except a legal representative. Sgt. Thomas stated that he understood this order.

17  
18 On 4-26-13, I conducted an inquiry on [REDACTED] and found that she is on active fourth waiver  
19 probation status until 1-13-16 on court case number [REDACTED]. See attached County Locals  
20 printouts documenting this information.

21  
22 On 4-26-13, I obtained a total of 23 pages of court minutes for court case number [REDACTED]  
23 from District Attorney's Office Paralegal Amanda Ross. The minutes show that after several  
24 unsuccessful attempts at completing the drug court program, [REDACTED] pled guilty to a drug  
25 offense. On 1-14-13, [REDACTED] pled guilty to Health and Safety Code Section 11377(a) and  
26 was granted probation by the Honorable Judge Orfield. As a requirement of the grant of  
27 probation, [REDACTED] agreed to a fourth amendment waiver to expire on 1-13-16. See the  
28 attached court minutes for case number [REDACTED]. These court minutes contain no  
29 information to indicate that [REDACTED] was on fourth waiver probation prior to 1-14-13.

30  
31 On 4-26-13, as a result of my inquiry, Carlsbad Police Crime Analyst Cindy Tran advised me that  
32 she had searched all of her BOL publications back to 2010 and found none of them that  
33 contained [REDACTED]'s name. I conducted this inquiry to eliminate the possibility that Off.  
34 Sisco might have learned of [REDACTED]'s fourth wavier status as a result of a CPD BOL  
35 publication.

36  
37 On 4-26-13, I conducted a registration check on the suspect vehicle license plate number CA #  
38 [REDACTED]. The inquiry revealed that this 2002 Volkswagen is registered to [REDACTED] in  
39 Oceanside. The vehicle was currently registered as of 3-14-13, with an expiration date of 4-8-  
40 13. I conducted this inquiry to confirm that [REDACTED] was the registered owner of the vehicle  
41 as Off. Sisco stated and to confirm if the vehicle was properly registered on 3-14-13. Sgt.  
42 Beronda had stated that he thought that registration might have been one of the vehicle code  
43 violations observed by Off. Sisco prior to the traffic stop. This inquiry shows that on 3-14-13,  
44 this vehicle was properly registered.

1  
2 I obtained copies of the Daily Patrol Shift Schedules for E2 on 3-14-13 and 3-16-13, and D2 on 3-  
3 16-13. See the attached copies of the schedules.

4  
5 The schedule for E2 on 3-14-13 shows Off. Sisco as unit 48-Paul, Sgt. Beronda as unit 42-  
6 Sam, Lt. May as unit 4-Lincoln, Off. Thompson as unit 47-Paul, Off. Torres as unit 47-  
7 Edward, and Off. Richards as unit 44-Edward.

8  
9 The schedule for E2 on 3-16-13 shows Lt. May as unit 4-Lincoln, Sgt. Beronda as unit 42-  
10 Sam and Sgt. Chase as unit 41-Sam.

11  
12 The schedule for D2 on 3-16-13 shows Sgt. Thomas as unit 31-Sam.

#### 13 14 **INTERVIEW OF SGT. CHASE**

15  
16 On 5-1-13, at approximately 1532 hours, Sgt. Jackowski and I interviewed Sgt. Chase. The  
17 interview was conducted in my office at the Carlsbad Police Station. Sgt. Chase was not  
18 accompanied by a representative. Sgt. Chase was ordered to provide full and complete  
19 answers to all of our questions under the penalty of insubordination and the resulting  
20 punishment. Sgt. Chase stated she understood this order. I audio recorded the interview. The  
21 interview was concluded at approximately 1542 hours. This interview was transcribed and a  
22 copy of the transcription is included in this investigation. Sgt. Chase provided us with the  
23 following information.

24  
25 Sgt. Chase is partner sergeants with Sgt. Beronda and they both supervise the E2 shift  
26 that Off. Sisco was assigned. Sgt. Chase is managed by Lt. May. Sgt. Chase was not  
27 working on the night of 3-14-13. Sgt. Chase remembered having a discussion with Sgt.  
28 Beronda and Lt. May on or about 3-16-13, related to this incident and Off. Sisco. Sgt.  
29 Chase remembered Sgt. Beronda being concerned that Off. Sisco had initially told him  
30 that she had stopped the vehicle for vehicle code violations in a parking lot. After Sgt.  
31 Beronda told Off. Sisco that the vehicle code violations did not apply in the parking lot,  
32 Off. Sisco told Sgt. Beronda that she stopped the suspect vehicle because the passenger  
33 was on fourth waiver probation. When Sgt. Beronda checked Off. Sisco's report of the  
34 incident, Off. Sisco did not mention the vehicle code violations, only the fourth waiver  
35 status as the reason for the stop. Sgt. Beronda was also concerned that Off. Sisco stated  
36 that she had conducted computer checks on the vehicle and registered owner to  
37 determine that the registered owner was on fourth waiver probation. Sgt. Beronda was  
38 concerned that Off. Sisco reported doing these checks in less than two minutes, while  
39 driving through the parking lot.

40  
41 Sgt. Chase has not spoken with Off. Sisco regarding this incident. Sgt. Chase has also not  
42 spoken to Off. Thompson, Off. Torres, or Off. Richards regarding this incident.  
43

1 At the conclusion of the interview, Sgt. Chase was ordered per a printed Carlsbad Police  
2 Interview Admonition for Peace Officers, to not discuss this interview or investigation with  
3 anyone except a legal representative. Sgt. Chase stated that she understood this order.  
4

5 **INTERVIEW OF OFF. THOMPSON**  
6

7 On 5-9-13, at approximately 1607 hours, Lt. Mendes and I interviewed Off. Thompson. The  
8 interview was conducted in my office at the Carlsbad Police Station. Off. Thompson was not  
9 accompanied by a representative. Off. Thompson was ordered to provide full and complete  
10 answers to all of our questions under the penalty of insubordination and the resulting  
11 punishment. Off. Thompson stated he understood this order. Prior to the interview, I allowed  
12 Off. Thompson to review Off. Sisco's written arrest report detailing this incident. I audio  
13 recorded the interview. The interview was concluded at approximately 1632 hours. This  
14 interview was transcribed and a copy of the transcription is included in this investigation. Off.  
15 Thompson provided us with the following information.  
16

17 Off. Thompson said that he has a clear recollection of this incident. Off. Thompson was  
18 dispatched to cover Off. Sisco who had conducted this traffic stop. Off. Thompson did  
19 not remember where he responded from to cover Off. Sisco, but he was sure that he  
20 was not present with Off. Sisco when the traffic stop was made. When Off. Thompson  
21 arrived at the scene of the traffic stop, he found Off. Sisco standing with the male  
22 suspect (██████████) near the rear of the suspect vehicle. The female passenger (██████████)  
23 ██████████ was still seated in the vehicle and Off. Torres was standing near the passenger  
24 door of the suspect vehicle. Off. Thompson saw that Off. Sisco was conducting a pat-  
25 down search on the male suspect. Off. Sisco told Off. Thompson that she intended on  
26 conducting a search, and Off. Thompson asked Off. Sisco if the suspects were on fourth  
27 waiver probation. Off. Sisco told Off. Thompson that she did not know. Off. Thompson  
28 then returned to his patrol vehicle to conduct inquiries on the suspects to determine if  
29 they were on fourth waiver probation. (SDSO inquiries corroborate that Off. Thompson  
30 conducted inquiries on ██████████ at 2116 hours.) Off. Thompson did not recognize or  
31 remember any previous contacts with either ██████████ or ██████████ prior to this  
32 incident. While Off. Thompson was conducting these computer inquiries, he overheard  
33 the female suspect (██████████) tell Off. Torres that they had been stopped for not  
34 using a turn signal in the parking lot. Off. Thompson also heard Carlsbad Dispatch  
35 advise that the suspects were on fourth waiver probation. Off. Thompson then went to  
36 Off. Sisco and told her that failing to use a turn signal in the parking lot was not  
37 appropriate probable cause to stop the suspects because that vehicle code section does  
38 not apply in parking lots. Off. Sisco then told Off. Thompson that she knew that the  
39 female passenger (██████████) was on fourth waiver probation. Off. Thompson stated  
40 that he immediately recognized the conflicts in the information that Off. Sisco had told  
41 him regarding her knowledge of the fourth wavier status of the suspects. Off.  
42 Thompson said that he did not question Off. Sisco any further regarding her knowledge  
43 of the suspects' fourth waiver probation status. Off. Thompson stated that he wanted

1 to give Off. Sisco the benefit of the doubt regarding this issue, but he had serious doubts  
2 about Off. Sisco's ability to have known the suspects' fourth wavier status.

3  
4 Off. Thompson explained that he was a Carlsbad Police Dispatcher for about 3 ½ years  
5 before becoming a police officer. As a result of his dispatch experience, he is very  
6 familiar with the computer databases available to officers. Off. Thompson stated that  
7 he had reviewed Off. Sisco's CAD history and he noticed the short period of time  
8 between when Off. Sisco ran the suspect vehicle license plate and when Off. Sisco  
9 conducted the traffic stop. Off. Thompson had suspicions that Off. Sisco could have  
10 done all of the inquiries necessary to know that the suspect was on fourth waiver  
11 probation within that short period of time. Off. Thompson stated that he had  
12 mentioned to Sgt. Beronda his suspicions regarding Off. Sisco's conduct during this  
13 incident.

14  
15 I asked Off. Thompson if he had spoken to any other department employees regarding  
16 this incident. Off. Thompson stated that he had spoken with Off. Burns regarding some  
17 personal issues and during that conversation he had mentioned his suspicions regarding  
18 Off. Sisco related to this incident. Off. Thompson stated that Off. Burns was not  
19 surprised by what Off. Thompson told her, but Off. Burns did not have any information  
20 regarding this incident. Off. Thompson said that Off. Burns was not aware of any  
21 potential problems with this incident before Off. Thompson mentioned the incident to  
22 her.

23  
24 At the conclusion of the interview, Off. Thompson was ordered per a printed Carlsbad Police  
25 Interview Admonition for Peace Officers, to not discuss this interview or investigation with  
26 anyone except a legal representative. Off. Thompson stated that he understood this order.

#### 27 28 **INTERVIEW OF OFF. TORRES**

29  
30 On 5-9-13, at approximately 1642 hours, Lt. Mendes and I interviewed Off. Torres. The  
31 interview was conducted in my office at the Carlsbad Police Station. Off. Torres was  
32 accompanied by Off. Harvey who served as a representative. Off. Torres was ordered to  
33 provide full and complete answers to all of our questions under the penalty of insubordination  
34 and the resulting punishment. Off. Torres stated he understood this order. Prior to the  
35 interview, I allowed Off. Torres to review Off. Sisco's written arrest report detailing this  
36 incident. I audio recorded the interview. The interview was concluded at approximately 1655  
37 hours. This interview was transcribed and a copy of the transcription is included in this  
38 investigation. Off. Torres provided us with the following information.

39  
40 Off. Torres responded to the traffic stop to serve as a cover officer for Off. Sisco. Off.  
41 Torres was not present at the time that the traffic stop was made. Off. Torres did not  
42 recognize or remember any previous contacts with either [REDACTED] or [REDACTED]  
43 prior to this incident. Off. Torres believed that when he arrived on scene, Off.  
44 Thompson was already on scene and the suspects might have been already out of the

1 vehicle and sitting on the curb. However, Off. Torres stated that he did not have a clear  
2 recollection of the incident. (CAD reports show that Off. Torres arrived on scene at 2107  
3 hours, and Off. Thompson arrived on scene at 2108 hours.) Off. Torres stated that he  
4 served as security during the stop and spoke with the suspects while Off. Sisco  
5 conducted her search of the vehicle. Off. Torres did not remember what discussion he  
6 had with the suspects. I asked Off. Torres if he remembered being told by either of the  
7 suspects why they were stopped and he said, no. I asked Off. Torres if Off. Sisco ever  
8 told him why she stopped the vehicle and he said, no.  
9

10 At the conclusion of the interview, Off. Torres was ordered per a printed Carlsbad Police  
11 Interview Admonition for Peace Officers, to not discuss this interview or investigation with  
12 anyone except a legal representative. Off. Torres stated that he understood this order.  
13

#### 14 INTERVIEW OF OFF. RICHARDS

15

16 On 5-9-13, at approximately 1704 hours, Lt. Mendes and I interviewed Off. Richards. The  
17 interview was conducted in my office at the Carlsbad Police Station. Off. Richards was not  
18 accompanied by a representative. Off. Richards was ordered to provide full and complete  
19 answers to all of our questions under the penalty of insubordination and the resulting  
20 punishment. Off. Richards stated he understood this order. Prior to the interview, I allowed  
21 Off. Richards to review Off. Sisco's written arrest report detailing this incident. I audio recorded  
22 the interview. The interview was concluded at approximately 1713 hours. This interview was  
23 transcribed and a copy of the transcription is included in this investigation. Off. Richards  
24 provided us with the following information.  
25

26 Off. Richards stated that he heard Off. Sisco conduct this traffic stop and then conduct  
27 an inquiry on [REDACTED] over the radio. Off. Richards stated that he never went to the  
28 scene of the traffic stop but he conducted a computer inquiry on [REDACTED] because  
29 her name sounded familiar to him when he heard it over the radio. (SDSO inquiries  
30 corroborate that Off. Richards conducted inquiries on [REDACTED] at 2115 hours.) Off.  
31 Richards never relayed any information to Off. Sisco regarding [REDACTED] he  
32 conducted the inquiry for his own information. Off. Richards stated that sometimes he  
33 conducts inquiries on suspects that other officers are contacting so that he can provide  
34 them information such as prior drug arrests. In this incident, Off. Richards stated that  
35 he did not provide Off. Sisco with any information regarding [REDACTED]. Off. Richards  
36 did not know why [REDACTED]'s name sounded familiar to him. (Off. Richards arrested  
37 [REDACTED] on 10-27-11 for narcotics related offenses; Carlsbad Police case 11-06589.  
38 [REDACTED] was not convicted or placed on probation as a result of this arrest.)  
39

40 Off. Richards was not aware of any issues related to Off. Sisco's arrest. Off. Richards did  
41 not have any specific recollection regarding having a conversation with Off. Sisco about  
42 her arrest other than he might have asked her what kind of narcotics she recovered.  
43  
44

At the conclusion of the interview, Off. Richards was ordered per a printed Carlsbad Police Interview Admonition for Peace Officers, to not discuss this interview or investigation with anyone except a legal representative. Off. Richards stated that he understood this order.

### ANALYSIS AND CONCLUSION

On 3-20-13, Sgt. Beronda filed the aforementioned Supervisor's Complaint Summary regarding Off. Sisco's conduct on 3-14-13. As a result of that complaint, the following allegations are appropriate for consideration and analysis. The following analysis deals with each allegation separately. I have attempted to associate all relevant facts obtained from witness statements, subject officer statement, computer database inquiries, court records, and associated documents with the appropriate allegation.

#### **Allegation 1**

##### **340.3.5 (i) - PERFORMANCE**

*(i) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction and/or mutilation of any department record, book, paper or document.*

**Analysis:** I identified two excerpts of Off. Sisco's reports that contain information that may be in conflict with evidence discovered during this investigation. I underlined the portions of the excerpts that are possibly in conflict with evidence discovered during this investigation.

1. In Off. Sisco's written arrest report for this incident she stated the following:

"On 03-14-13, at approximately 2103 hours, I observed a male, later identified as [REDACTED] get in the driver seat of the above vehicle. I then observed a female, later identified as [REDACTED] get in the front passenger seat of the vehicle. The California license plate [REDACTED] was registered to [REDACTED] eJims revealed [REDACTED] was affirmative 4<sup>th</sup> waiver. I located a picture of [REDACTED] on eJims. I recognized the passenger of the vehicle/registered owner of the vehicle, to be [REDACTED] due to the picture located on eJims. I observed [REDACTED] drive the vehicle from the Circle K across the parking lot to Flippin Pizza. [REDACTED] parked the vehicle. I then conducted a traffic stop to conduct a 4<sup>th</sup> waiver compliance check for [REDACTED]." (Page 5 of 8; lines 7-14)

2. On page two of the DMV DS 367 form signed by Off. Sisco on 3-14-13, Off. Sisco handwrote the following information. This form was signed under penalty of perjury by Off. Sisco.

"On 03-14-13 at about 2103 hours I stopped California license plate [REDACTED] The vehicle did not have a center brake light that worked. I also ran the license plate and the registered owner of the vehicle was [REDACTED] I saw [REDACTED] get into the passenger side of the vehicle. SDLAW provided me information that [REDACTED] was affirmative 4<sup>th</sup>

1        waiver. The description of [REDACTED] in the front passenger seat matched the picture in  
2        SDLAW."

3  
4        Sgt. Beronda reported that during his initial discussion with Off. Sisco on 3-14-13, Off. Sisco told  
5        him the probable cause for this traffic stop was a/some vehicle code violation(s). When Sgt.  
6        Beronda told Off. Sisco that the vehicle code section(s) did not apply in a private parking lot,  
7        Off. Sisco told Sgt. Beronda that the probable cause for the stop was a fourth wavier  
8        compliance check on [REDACTED]. When Off. Sisco prepared her report, she made no mention  
9        of any observed vehicle code violations, leading to her traffic stop.

10  
11       During Off. Sisco's interview, she stated that she did not remember seeing either [REDACTED] or  
12       [REDACTED] enter the parked suspect vehicle. Her first clear recollection of seeing the  
13       vehicle and occupants ([REDACTED] and [REDACTED]) was when it was being driven out of the  
14       Circle K parking lot.

15  
16       During Off. Sisco's interview, she stated at the time of the traffic stop she believed that [REDACTED]  
17       [REDACTED] was on active fourth waiver probation because she remembered being told by another  
18       officer that [REDACTED] was on fourth waiver probation. Off. Sisco could not remember what  
19       officer provided her this information, when she received this information, or where she  
20       received this information. Off. Sisco stated that she never documented in this case, or in any  
21       other case, that she received this information from another officer.

22  
23       Off. Sisco also stated during her interview that she also believed that [REDACTED] was likely on  
24       fourth waiver probation due to [REDACTED] being previously arrested for a drug offense. Off.  
25       Sisco knew of this previous narcotics arrest before the traffic stop because she conducted an  
26       inquiry in EJIMS prior to the stop. Off. Sisco stated that she never actually saw on any  
27       computer database that [REDACTED] was actually on fourth wavier probation. Off. Sisco also  
28       stated that she was aware that people who are arrested for narcotics offenses and not  
29       convicted, do not get placed on fourth waiver probation.

30  
31       During Off. Thompson's interview, he stated that Off. Sisco told him at the scene of the traffic  
32       stop that she did not know that either suspect was on active fourth waiver probation status,  
33       prior to being advised by Carlsbad Police Dispatch.

34  
35       A County Locals computer database use inquiry revealed that neither Off. Sisco, nor any other  
36       Carlsbad Police employee had conducted a County Locals inquiry on [REDACTED] to determine if  
37       she was on fourth waiver probation between 6-1-12 and the time of the traffic stop on 3-14-14.

38  
39       A court records inquiry revealed that [REDACTED] has been on fourth waiver probation since 1-  
40       13-13.

**Allegation 2****340.3.5 (o) - PERFORMANCE**

*(o) Criminal, dishonest, infamous or disgraceful conduct adversely affecting the employee/employer relationship, whether on- or off-duty.*

**Analysis:** This allegation is associated with allegation 1. If Off. Sisco is found to have provided false or misleading information in her arrest report or DMV declaration, she might be in violation of this policy section.

**Allegation 3****340.3.5 (p) - PERFORMANCE**

*(p) Failure to disclose or misrepresenting material facts, or the making of any false or misleading statement on any application, examination form, or other official document, report or form or during the course of any work-related investigation.*

**Analysis:** Same analysis as allegation 2.

**Allegation 4****340.3.5 (aa) - PERFORMANCE**

*(aa) Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its members.*

**Analysis:** If Off. Sisco is determined to have been inaccurate, misleading or untruthful in her oral communications with her supervisor or in her written police reports, Off. Sisco might be in violation of this policy section.

**Allegation 5****340.3.5 (ad) - PERFORMANCE**

*(ad) Giving false or misleading statements, or misrepresenting or omitting material information to a supervisor, or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.*

**Analysis:** Sgt. Beronda and Off. Sisco both agree that they spoke following Off. Sisco's arrest of [REDACTED] on 3-14-13, at the Carlsbad Police Station. In Sgt. Beronda's interview he provided the following information regarding this conversation. I underlined the portions of Off. Sisco's statements to Sgt. Beronda that are possibly in conflict with evidence discovered during this investigation.

Off. Sisco told Sgt. Beronda that she had initially seen the suspect vehicle parked near the Circle K store (located in the same shopping center as Flippin' Pizza). Off. Sisco saw a female later identified as the registered owner get into the vehicle as a passenger. Off. Sisco recognized the female as the owner ([REDACTED]) from the photograph that

1 she had looked at on her computer and she knew that the owner was on fourth waiver  
2 probation status.

3  
4 Off. Sisco also told Sgt. Beronda that she saw two or three minor vehicle code violations  
5 on the suspect vehicle. Sgt. Beronda told Off. Sisco that the vehicle code violations did  
6 not apply in a private parking lot. Off. Sisco then told Sgt. Beronda that the driver was  
7 unlicensed. Sgt. Beronda told Off. Sisco that the driver's license offense also did not  
8 apply on private property. Off. Sisco then told Sgt. Beronda that the passenger was on  
9 fourth waiver probation. Sgt. Beronda asked Off. Sisco when she learned that  
10 information. Off. Sisco told Sgt. Beronda that she knew the passenger was on fourth  
11 waiver probation prior to making the traffic stop. Off. Sisco explained that prior to the  
12 traffic stop she ran the vehicle's license plate, then looked up the registered owner's  
13 picture ( [REDACTED] ), all on her patrol vehicle computer. Off. Sisco then verified that  
14 female passenger that Off. Sisco saw get into the vehicle was the registered owner by  
15 using the photograph Off. Sisco had found in her computer of the registered owner.  
16 After she confirmed that the passenger was the registered owner who is fourth waiver  
17 status, she stopped the vehicle by Flippin' Pizza.

18  
19 During Off. Sisco's interview she provided the following information regarding her conversation  
20 with Sgt. Beronda on 3-14-13.

21  
22 Off. Sisco remembered speaking with Sgt. Beronda about this traffic stop. Off. Sisco  
23 remembered telling Sgt. Beronda what led to her making this traffic stop. Off. Sisco told  
24 Sgt. Beronda that she had observed the vehicle driving in the parking lot with a brake  
25 light not working properly. Off. Sisco stated that Sgt. Beronda interrupted her and told  
26 her that the vehicle code did not apply in the parking lot. Off. Sisco explained that she  
27 was aware of that and she then told Sgt. Beronda that she stopped the vehicle to  
28 conduct a fourth waiver compliance check.

29  
30 During Off. Thompson's interview, he stated that Off. Sisco told him at the scene of the traffic  
31 stop that she did not know that either suspect was on active fourth waiver probation status,  
32 prior to being advised by Carlsbad Police Dispatch.

33  
34 Off. Sisco's statement to Sgt. Beronda that she knew [REDACTED] was on fourth waiver  
35 probation before conducting the traffic stop is in contention. Off. Sisco also told Sgt. Beronda  
36 that she identified the female passenger who got into the vehicle as the registered owner by  
37 viewing her booking photograph on her in-car computer. During Off. Sisco's interview, she  
38 stated that she had no recollection of seeing [REDACTED] enter the suspect vehicle. Whether  
39 Off. Sisco actually saw [REDACTED] enter the vehicle as she told Sgt. Beronda is also in  
40 contention.

**Allegation 6****340.3.5 (m) - PERFORMANCE**

(m) Any knowing or negligent violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. The Department shall make this manual available to all employees. Employees shall familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.

To wit:

**344.1.1 REPORT PREPARATION**

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

**Analysis:** See the analysis under allegation 1 detailing potential errors, misleading or falsified information contained within Off. Sisco's reports documenting this incident.

I, Sgt. Williams, respectfully submit this report for review and disposition.

Submitted by:

M. Williams  
Internal Affairs Sergeant Mickey Williams  
Professional Standards and Services Division

5-10-13  
Date

Approved by:

P. Mendes  
Internal Affairs Lieutenant Paul Mendes  
Professional Standards and Services Division

5-12-13  
Date

4

# CONFIDENTIAL

## CARLSBAD POLICE DEPARTMENT INTERNAL AFFAIRS INVESTIGATION #13-IA-07

### WITNESS LIST

<u>Name</u>	<u>Telephone</u>
Sergeant Richard Beronda #5265 (Complainant) Carlsbad Police Department	760-931-2136
Lieutenant Bruce May #5192 Carlsbad Police Department	760-931-2115
Sergeant Jade Chase #5348 Carlsbad Police Department	760-931-2136
Sergeant Steve Thomas #5296 Carlsbad Police Department	760-931-2149
Officer Matt Thompson #5383 Carlsbad Police Department	760-931-2100
Officer Michael Torres #5416 Carlsbad Police Department	760-931-2100
Officer Justin Richards #5391 Carlsbad Police Department	760-931-2100
Crime Analyst Cindy Tran Carlsbad Police Department	760-931-2170
Communications Manager Joan Mabrouk Carlsbad Police Department	760-931-2197
Jessica O'Leary San Diego Sheriff's Department Communications Center Jessica.O'Leary@sdsheriff.org	858-565-3309
ESUN Infrastructure Engineer Chris Saulpaugh San Diego Sheriff's Department Chris.saulpaugh@sdsheriff.org	858-505-6613

Witness List

1	Paralegal Amanda Ross	760-806-4016
2	San Diego County District Attorney's Office; North County Branch	
3	Amanda.ross@sdcdca.org	
4		
5	Sergeant Mickey Williams #5221 (Investigator)	760-931-2178 (work)
6	Carlsbad Police Department	
7	2560 Orion Way	
8	Carlsbad, CA 92010	

5

BK date

CARLSBAD POLICE DEPARTMENT

Bail

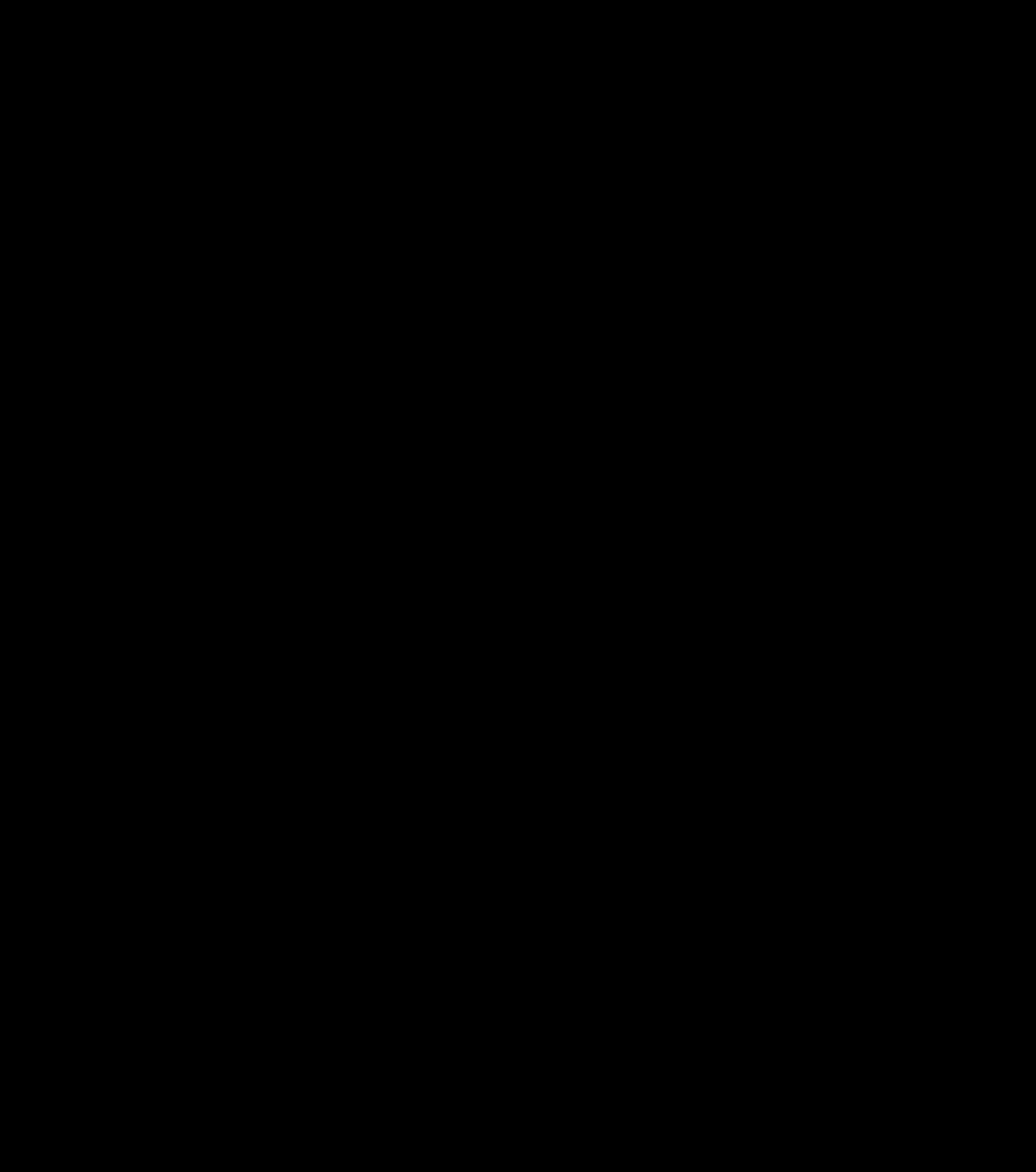
3-14-13

23:27:41

ARREST/INTOXICATION REPORT

\$5,000

<input checked="" type="checkbox"/> ARREST REPORT	WARRANT <input type="checkbox"/> LOCAL <input type="checkbox"/> OUT		AGENCY CBPD	ARJIS ASSISTED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	PAGE 1 OF 8	AGENCY NUMBER 13-01544
<input type="checkbox"/> JUVENILE CONTACT	ARREST DATE 03/14/13	TIME 2119	BEAT/DISTRICT 8/119	RELATED REPORTS (TYPE, NUMBER)		SDSO BOOKING NUMBER 13717699
<input type="checkbox"/> NOTIFY WARRANT						CITATION NUMBER















































6



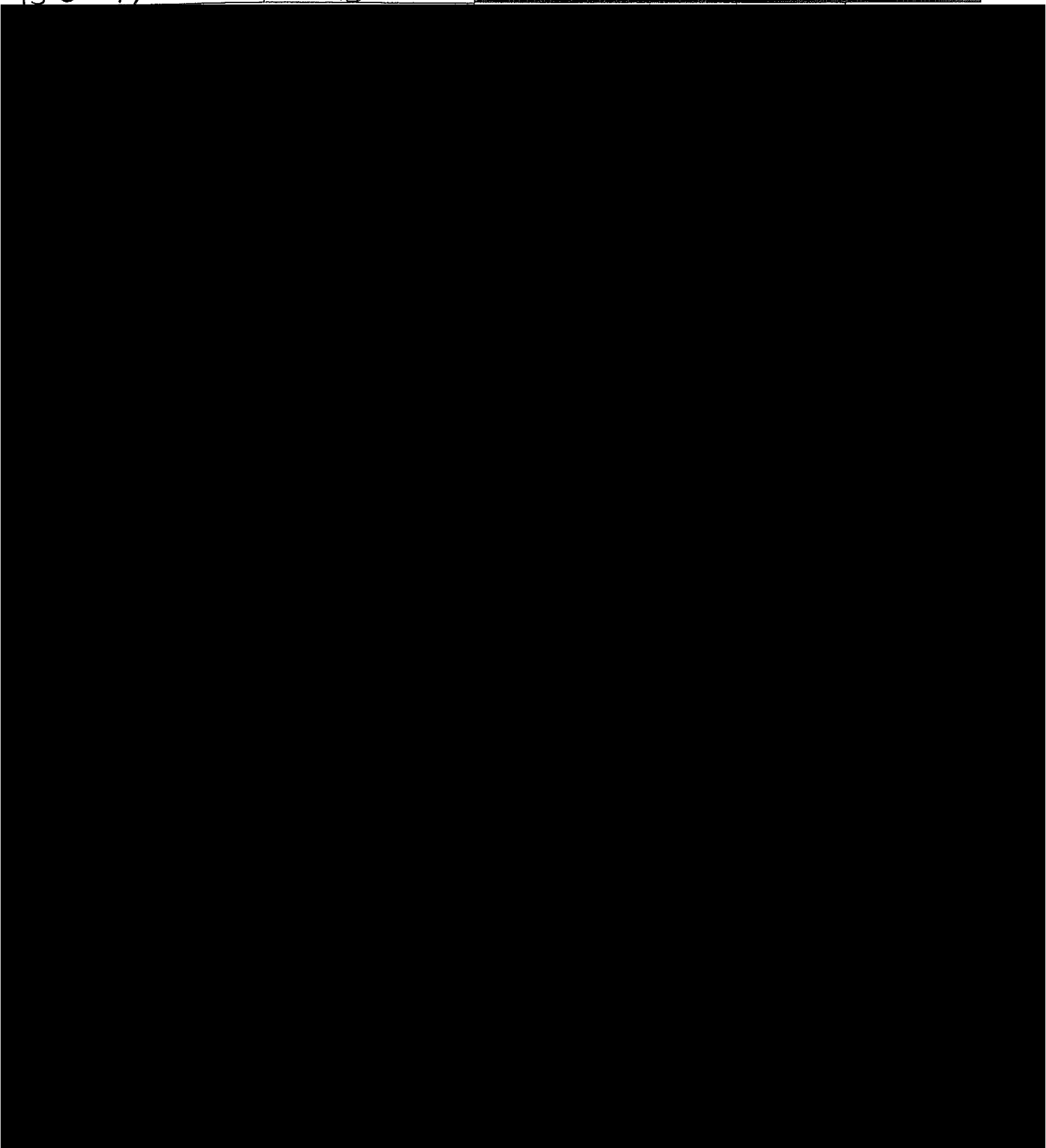
**AGE 21 AND OLDER OFFICER'S STATEMENT**  
SECTIONS 13353, 13353.1, 13353.2 & 13389 CALIFORNIA VEHICLE CODE (CVC)

**APS**

FORWARD THIS FORM WITHIN 5 BUSINESS  
DAYS TO YOUR LOCAL DRIVER SAFETY  
OFFICE, LISTED ON THE BACK OF PAGE 2

COMPLETE IN BLACK INK

ENFORCEMENT AGENCY CASE NO. 13-01544	DETENTION/ARREST DATE 03-14-13	FOR DMV USE ONLY
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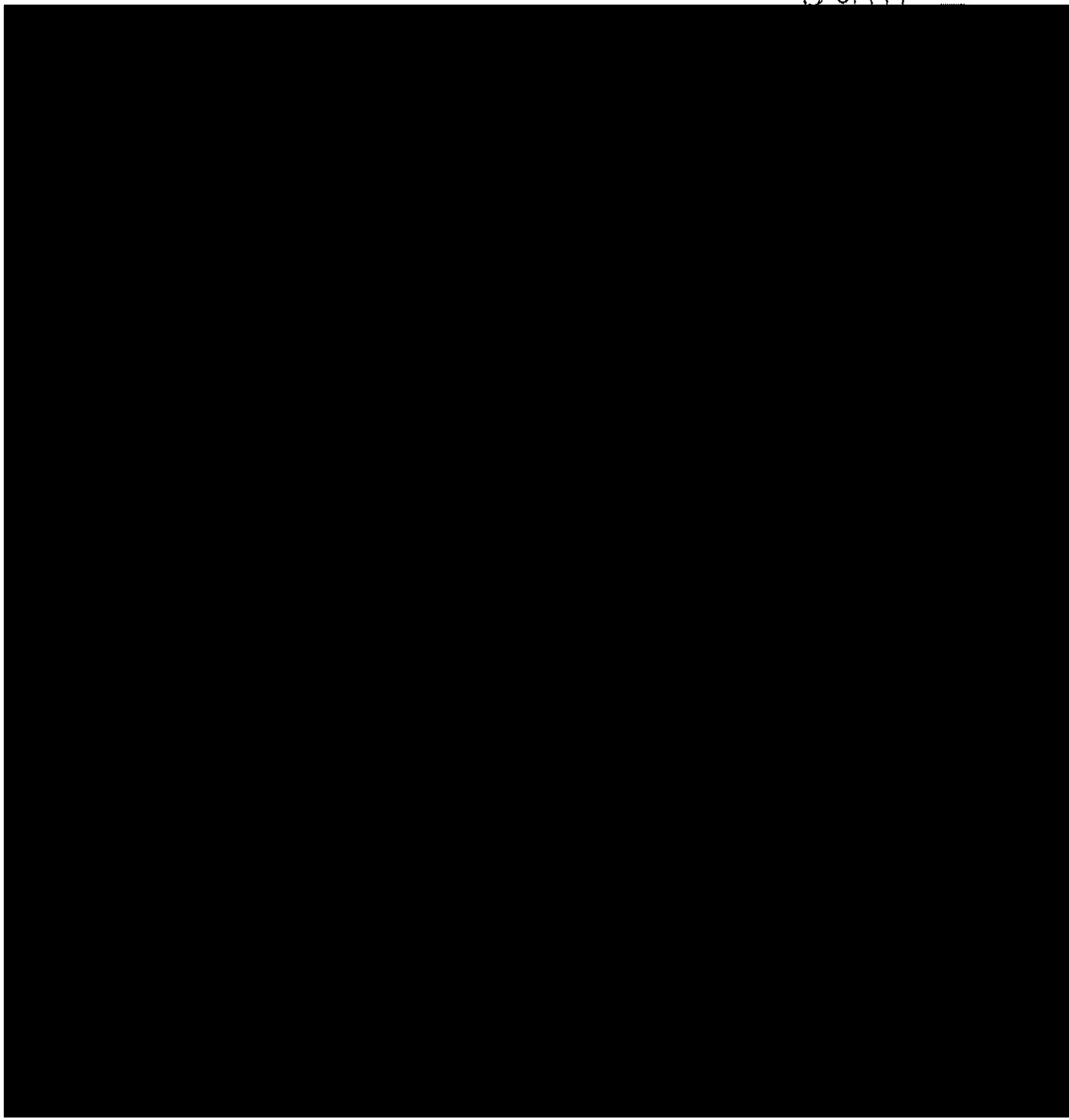
7

13717699

(DUI PC FORM)

**DECLARATION AND DETERMINATION  
(PROBABLE CAUSE FOR WARRANTLESS ARREST)**

13-61544







8

**Detailed History for Police Inc# #130018061 As of 4/23/2013 16:12:17**

Priority:3 Type:T - Traffic Stop

Location:7662 EL CAMINO REAL,CB

LocCross:btwn LA COSTA AV and LA COSTA TOWNE CENTER

Created:	03/14/2013 21:03:14	DSP4	CB5437
Entered:	03/14/2013 21:03:14	DSP4	CB5437
Dispatch:	03/14/2013 21:03:14	DSP4	CB5437
Enroute:	03/14/2013 21:03:14	DSP4	CB5437
Onscene:	03/14/2013 21:03:14	DSP4	CB5437
Control:	03/14/2013 21:16:12	DSP2	CB5213
Transprt:	03/14/2013 22:04:06	DSP4	CB5437
Complete:	03/14/2013 22:11:41	DSP4	CB5437
Closed:	03/14/2013 23:46:22	A237	CB5426

PrimeUnit:48P Dispo:RTF Type:T - Traffic Stop

Agency:CBPD Group:PD01 Beat:8 RD:119

Case #:CB130001544 ☐ Detail

21:03:14 CREATE Location:LA COSTA/ECR FLIPPIN PIZZA - Type:T Plate: [REDACTED] TypeDesc:Traffic Stop  
Priority:3 Agency:CBPD

21:03:14 ENTRY Plate:[REDACTED] Group:None-->PD01

21:03:14 DISPOS 48P Location:LA COSTA/ECR FLIPPIN PIZZA - EmpID:CB5426 OperNames:SISCO,  
TARYN

21:03:14 -PRIU 48P

21:03:14 -PREMIS Comment:(none)

21:05:01 BACKUP 47P UnitID:48P EmpID:CB5383 OperNames:THOMPSON, MATTHEW

21:05:19 \*ENRTE 47P

21:06:41 MISC 48P Comment:N3737650 [REDACTED] //C4035545 [REDACTED]

21:07:40 BACKOS 47E UnitID:48P EmpID:CB5416 OperNames:TORRES, MICHAEL

21:07:54 RFT 48P Comment:INQUIRY DL,X,[REDACTED],,,,,,,,,

21:07:59 RFT 48P Comment:INQUIRY DL,X,[REDACTED],,,,,,,,,

21:08:46 LOGM 48P Message:991303150408001856 Received:03/14/2013 21:08:00 Comment:SUSPENDED DL  
[REDACTED] SRV NEEDED

21:08:47 \*ONSCN 47P

21:09:22 LOGM 48P Message:991303150409001860 Received:03/14/2013 21:08:46 Comment:VALID DL  
[REDACTED]

21:10:08 RFT 48P Comment:INQUIRY QW,,[REDACTED],,,,,,,,,

21:10:23 RFT 48P Comment:INQUIRY QW,,[REDACTED],,,,,,,,,

21:15:51 MISC 48P Comment:[REDACTED], 4TH FOR PC53

21:16:12 CODE 4 48P

21:18:17 CONTCT 47E

21:19:31 \*1016\* 48P

21:19:38 CONTCT 47P

21:24:27 MISC 47P Comment:WHI OVAL M523 10-325 ON OTHER SIDE

21:24:42 MISC 47P Comment:WHI ROUND WATSON 932

21:24:58 MISC 47P Comment:WHI ROUND M 15 SCORE ON OTHER SIDE

21:25:12 MISC 47P Comment:PURPLE ROUND M , 30 ON OTHER SIDE

21:26:49 MISC 47P Comment:WHI OVAL M523 : ACETAMINOPHEN & OXYCODONE  
HYDROCHLORIDE ... NARCOTIC ANALGESIC COMBINATIONS ... SCHEDULE: 2 ...

21:28:23 MISC 47P Comment:WHI ROUND WATSON 932: ACETAMINOPHEN & OXYCODONE  
HYDROCHLORIDE ... NARCOTIC ANALGESIC COMBINATION .. SHCEDULE 2

21:28:34 MISC 47E Comment:VICT OF CRIME : OXHAN, LESLIE D

21:30:15 MISC 48P Comment: [REDACTED] 4TH WAIVER, VALID DL  
21:30:36 MISC 47P Comment:WHI ROUND M 15 SCORE ... CLONAZEPAM ... BENZODIAZEPINE  
ANTICONVULSANTS BENZODIAZEPINES ... SCHEDULE: 4  
21:30:58 MISC 48P Comment:[REDACTED], 4TH FOR PC530, NARC REG, 290 REG , SUSPENDE DL  
W/SRV NEEDED  
21:33:12 MISC 47P Comment:ROUND PURPLE M, 30 : MORPHINE SULFATE ... NARCOTIC ...  
SCHEDULE 2  
21:41:40 CONTCT 47E  
21:47:31 CONTCT 47P  
21:48:36 CASE 48P Case#:CB130001544  
21:55:18 CONTCT 47E  
21:56:45 \*CLEAR 47E  
21:57:49 CONTCT 47P  
22:02:30 \*CLEAR 47P  
22:04:06 TRANSP 48P Location:1019 Mileage:33995.5 Comment:START BLOOD TECH  
22:04:17 MISC 48P Comment:COOLIC IS THE 1016  
22:04:50 MISC Comment:BLOODTECH TO CPD  
22:08:25 MISC Comment:ETA 30 MINUTES...BLOOD TECH  
22:09:33 MISC 48P Comment:ADV OF LAST  
22:11:41 CMPLT 48P Mileage:999  
22:43:24 CHANGE Location:LA COSTA/ECR FLIPPIN PIZZA --->7662 EL CAMINO REAL,CB RD:None-->119  
Beat:None-->8 Map:None-->1147F25118C  
22:43:25 -PREMIS Comment:(none)  
23:09:50 TRANSP 48P Location:VDF, 325 MELROSE,VS Mileage:999  
23:19:08 CMPLT 48P Mileage:005  
23:46:14 \*BRIEF 48P Comment [REDACTED] WAS ARRESTED AND BOOKED INTO VDF  
FOR 23152(A)&(B) CVC, 11377(A)HS, 11357(A) HS, 11350(A) HS, 11364.1(A) HS, 11550(A)  
HS.  
23:46:22 \*CLEAR 48P Dispo:RTF  
23:46:22 -CLEAR  
23:46:22 \*CLOSE

9

Detailed History for Unit 48P Between 03/14/2013 00:00 And 03/14/2013 23:59 ☐ Detail

17:03:15 \*LOGON EmpID:CB5426 Vehicle:237 OperNames:SISCO, TARYN MobileID:M:A237 Comment:CAR CKOK  
17:03:15 \*OPON Operators:CB5426 OperNames:SISCO, TARYN Comment:CAR CKOK  
17:03:35 \*OUT Location:BRIEFING Type:1019 Group:PD01 TypeDesc:At Station Priority:4 Agency:CBPD  
17:03:42 -AVLCNT  
17:32:11 \*CLEAR Type:1019  
18:02:36 \*RFT Comment:INQUIRY MVEH, [REDACTED] PC,2006,  
18:02:49 \*RFT Comment:INQUIRY MVEH, [REDACTED] PC,2006,  
  
18:08:36 DISP #130018011 Type:1182 CallLoc:RANCHO SANTA FE RD / CALLE BARCELONA,CB  
18:08:36 -PRIU  
18:08:39 \*ENRTE  
18:09:05 MISC Comment:WILL ADVISE  
18:12:22 CLOS Location:RSF NORTH OF CAMINO ALVARO LocDesc:No location description LocCross:No location cross-streets  
18:12:31 CHANGE Location:RANCHO SANTA FE RD / CAMINO ALVARO,CB Group:PD01 RD:121 Agency:CBPD Beat:8 Map:1147H34920A  
18:17:52 MISC Plate:[REDACTED] Comment:.  
18:17:58 MISC Plate:[REDACTED] Comment:.  
18:18:13 MISC Comment:[REDACTED]  
18:18:20 LOGM Message:991303150118000615 Received:03/14/2013 18:17:59 Comment:05 VOLKS  
18:18:27 LOGM Message:991303150118000619 Received:03/14/2013 18:18:01 Comment:11 TOYT  
18:20:14 LOGM Message:991303150120000655 Received:03/14/2013 18:19:56 Comment:VALID [REDACTED]  
18:20:26 LOGM Message:991303150120000659 Received:03/14/2013 18:20:15 Comment:VALID [REDACTED]  
18:27:50 \*MISC Comment:P2 WAS TURNING IN THE TURNING LANE FROM RANCHO SANTA FE TO NORTHBOUND RANCHO SANTA FE. P1 WAS DRIVING STRAIGHT NORTHBOUNG ON RANCHO SANTA FE. P1 MERGED INTO THE FAR RIGHT LANE (MERGING LANE) STRIKING V2 IN TEH DRIVER SIDE DOOR.  
18:27:58 \*CLEAR Type:1182 Dispo:IO Comment:INFO EXCHANGE  
  
18:35:15 \*RFT Comment:INQUIRY MVEH, [REDACTED] PC,2006,  
  
18:43:19 DISP #130018017 Type:23103 CallLoc:RANCHO SANTA FE RD / AVENIDA LA CIMA,CB  
18:43:19 -PRIU  
18:43:22 \*ENRTE  
18:45:23 \*ONSCN  
18:45:55 LOGM Message:991303150145000807 Received:03/14/2013 18:45:40 Comment:CORRECT PLT ---  
18:46:19 CLEAR Type:23103 Dispo:GOA Comment:INFO RELAYED TO SDSO  
  
18:51:23 \*RFT Comment:INQUIRY MVEH, [REDACTED] PC,2006,  
  
18:54:26 DISPOS #130018022 Type:DETAIL Location:DETAIL  
18:54:26 -PRIU  
18:54:29 CHGLOC  
19:04:49 \*ONSCN  
19:04:51 \*ONSCN  
19:05:42 \*CLEAR Type:DETAIL  
  
19:07:56 \*RFT Comment:INQUIRY MVEH, [REDACTED] PC,2006,

19:08:19 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:08:35 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:10:39 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:11:57 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:13:26 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:17:20 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:17:42 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:19:27 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:21:15 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:23:57 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:25:51 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:29:38 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:32:21 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:38:56 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:41:23 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:43:03 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,  
19:43:46 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,

19:46:49 \*DISPOS #130018037 Type:EXTRAP Location:SOMBROSA ST

19:46:49 -PRIU

19:53:43 \*CLEAR Type:EXTRAP

20:01:34 \*RFT Comment:INQUIRY MVEH [REDACTED],PC,2006,

20:03:47 BACKUP #130018039 UnitID:47P Type:FOURTH CallLoc:1754 BLACKBIRD CR,CB

20:04:31 DISPOS #130018041 Type:1151 Location:AVAIRA/POST OFFICE

20:04:31 -PRIU

20:04:31 PRMPT #130018039 Comment:Preempted and dispatched to call #130018041

20:04:38 CHANGE #130018041 Location:POST OFFICE,CB Group:PD01 RD:92 Agency:CBPD Beat:7  
Map:1127E65218C

20:05:33 MISC Comment:[REDACTED]

20:05:50 RFT Comment:INQUIRY DL [REDACTED] ???????

20:05:57 RFT Comment:INQUIRY DL [REDACTED] ???????

20:06:02 RFT Comment:INQUIRY DL [REDACTED] ???????

20:06:20 LOGM Message:991303150306001259 Received:03/14/2013 20:06:03 Comment:VALID DL [REDACTED]

20:06:38 LOGM Message:991303150306001262 Received:03/14/2013 20:06:05 Comment:VALID DL [REDACTED]

20:06:54 LOGM Message:991303150306001263 Received:03/14/2013 20:06:06 Comment:VALID DL [REDACTED]

20:07:14 RFT Comment:INQUIRY QW [REDACTED] ???????????

20:07:36 RFT Comment:INQUIRY QW [REDACTED] ???????????

20:10:46 MISC Comment:1129 NEG 4TH VALID DL X 3

20:10:57 MISC Comment:[REDACTED] HAS ONE PRIOR FOR HS11358

20:11:12 CODE 4

20:11:17 \*CLEAR Type:1151 Dispo:FI Comment:3

20:15:59 DISP #130018045 Type:1130 CallLoc:7336 CADENCIA ST,CB

20:15:59 -PRIU

20:16:06 \*ENRTE

20:16:07 \*ENRTE

20:26:07 \*ONSCN  
20:35:34 CODE 4  
20:43:54 CODE 4  
20:47:16 \*CLEAR Type:1130 Dispo:CKOK Comment:DIDNT KNOW PHONE CALLED 911

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20:53:35 \*RFT Comment:INQUIRY MVEH, [REDACTED] PC,2006,  
21:01:36 \*RFT Comment:INQUIRY MVEH, [REDACTED] PC,2006,

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21:03:14 DISPOS #130018061 Type:T Location:LA COSTA/ECR FLIPPIN PIZZA - Plate:[REDACTED]  
21:03:14 -PRIU  
21:06:41 MISC Comment:[REDACTED]  
21:07:54 RFT Comment:INQUIRY DL,X,[REDACTED] ,,,,,,  
21:07:59 RFT Comment:INQUIRY DL,X,[REDACTED] ,,,,,,  
21:08:46 LOGM Message:991303150408001856 Received:03/14/2013 21:08:00 Comment:SUSPENDE DL  
[REDACTED] SRV NEEDED  
21:09:22 LOGM Message:991303150409001860 Received:03/14/2013 21:08:46 Comment:VALID DL [REDACTED]  
[REDACTED]

21:10:08 RFT Comment:INQUIRY QW,, [REDACTED] ,,,,,,  
21:10:23 RFT Comment:INQUIRY QW,, [REDACTED] ,  
21:15:51 MISC Comment:[REDACTED] 4TH FOR PC53  
21:16:12 CODE 4  
21:19:31 \*1016\*  
21:30:15 MISC Comment:[REDACTED] 4TH WAIVER, VALID DL  
21:30:58 MISC Comment:[REDACTED] 4TH FOR PC530, NARC REG, 290 REG , SUSPENDE DL W/SRV  
NEEDED

21:48:36 CASE Case#:CB130001544  
22:04:06 TRANSP Location:1019 LocDesc:No location description LocCross:No location cross-streets  
Mileage:33995.5 Comment:START BLOOD TECH  
22:04:17 MISC Comment:COOLIC IS THE 1016  
22:09:33 MISC Comment:ADV OF LAST  
22:11:41 CMPLT Mileage:999  
23:09:50 TRANSP Location:VDF, 325 MELROSE,VS LocDesc:at 0 COUNTY COMPLEX,VS LocCross:btwn  
MELROSE DR and DEAD END Mileage:999  
23:19:08 CMPLT Mileage:005  
23:46:14 \*BRIEF Comment:[REDACTED] WAS ARRESTED AND BOOKED INTO VDF FOR  
23152(A)&(B) CVC, 11377(A)HS, 11357(A) HS, 11350(A) HS, 11364.1(A) HS, 11550(A) HS.  
23:46:22 \*CLEAR Type:T Dispo:RTF

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23:47:37 OUT Location:CPD/BOOK EVIDENCE Type:1019 Group:PD01 TypeDesc:At Station Priority:4  
Agency:CBPD  
23:47:39 CHGLOC  
23:54:46 \*ONSCN

10

## Mickey Williams

---

**From:** Jason Jackowski  
**Sent:** Tuesday, April 16, 2013 3:35 PM  
**To:** Mickey Williams  
**Subject:** FW: eSUN journal search request  
**Attachments:** 040913. [REDACTED].xlsx; ATT00001.htm

Here's the audit back from the first subject.

---

**From:** Maria Callander  
**Sent:** Wednesday, April 10, 2013 3:29 PM  
**To:** Jason Jackowski  
**Subject:** Fwd: eSUN journal search request

Here is your audit. Let me know if you have any questions.

Sent from my iPad

Begin forwarded message:

**From:** "O'Leary, Jessica (Hahn)" <[Jessica.O'Leary@sdsheriff.org](mailto:Jessica.O'Leary@sdsheriff.org)>  
**To:** "Maria Callander" <[Maria.Callander@carlsbadca.gov](mailto:Maria.Callander@carlsbadca.gov)>  
**Subject:** FW: eSUN journal search request

Attached results for your audit, thanks!

Jessica

Jessica O'Leary, ACC  
San Diego Sheriff's  
Communications Center  
858.565.3309 desk  
858.715.6762 fax  
[Jessica.O'Leary@sdsheriff.org](mailto:Jessica.O'Leary@sdsheriff.org)

Search Criteria

Name like  
DOB  
LIC

(eSUNWeb)

From Date 3/1/2013 00:00:00  
To Date 3/20/2013 23:59:59

(County/Locals)

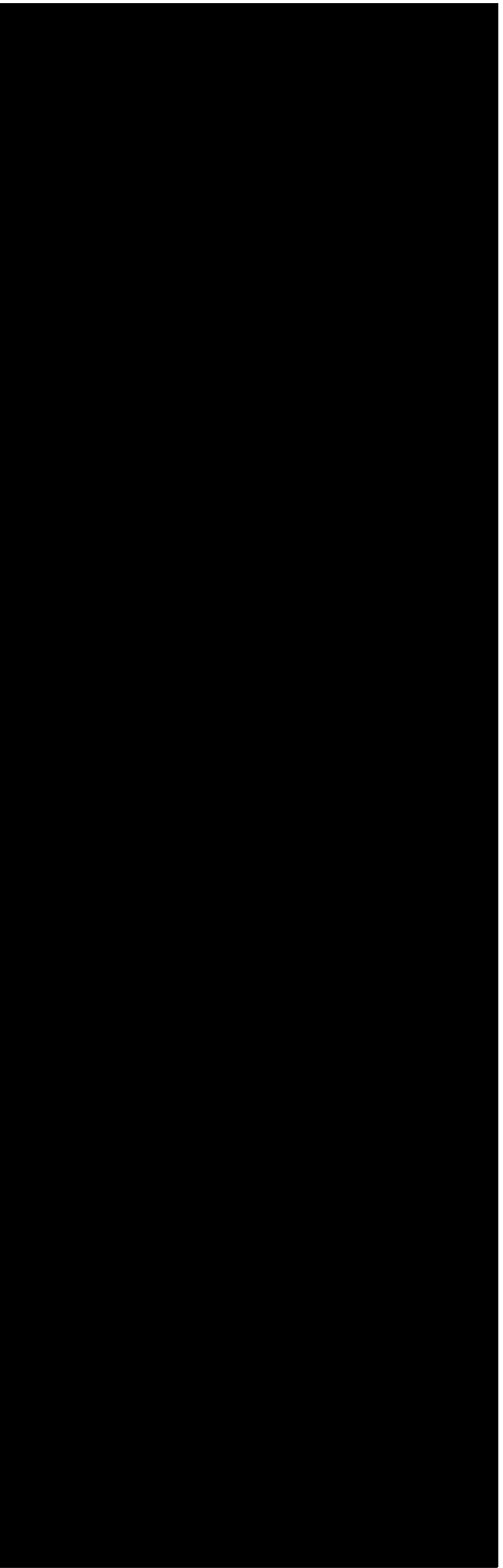
From Date 3/1/2013 00:00:00  
To Date 3/20/2013 23:59:59

(SDLaw)

From Date 3/1/2013 00:00:00  
To Date 3/20/2013 23:59:59

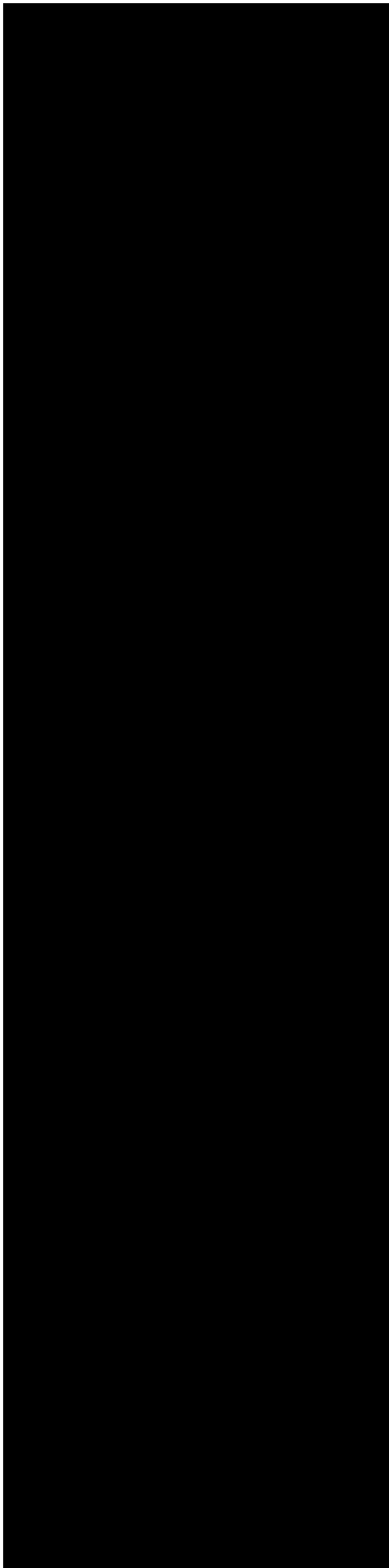
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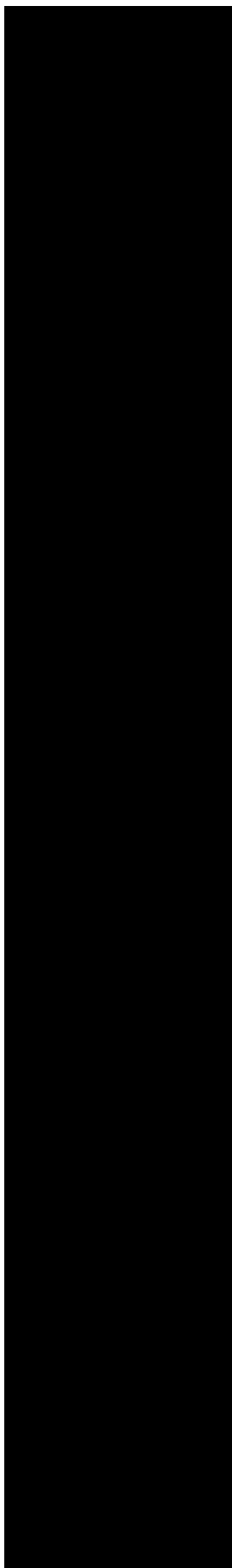
Approx Hours: 1

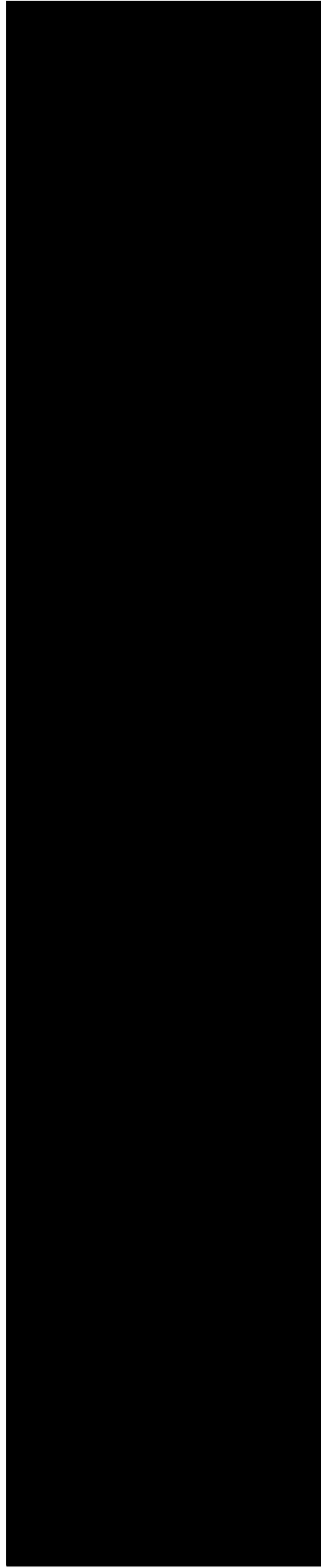




[REDACTED]	
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11

## Mickey Williams

---

**From:** O'Leary, Jessica (Hahn) <Jessica.O'Leary@sdsheriff.org>  
**Sent:** Wednesday, April 17, 2013 11:36 AM  
**To:** Mickey Williams  
**Subject:** RE: ESUN journal search request  
**Attachments:** Copy of 041713 CLBDPD.xlsx

Good Morning,

See attached. Let me know if you have any questions, thanks!

Jessica

Jessica O'Leary, ACC  
San Diego Sheriff's  
Communications Center  
858.565.3309 desk  
858.715.6762 fax  
Jessica.O'Leary@sdsheriff.org

---

**From:** Mickey Williams [<mailto:Mickey.Williams@carlsbadca.gov>]  
**Sent:** Tuesday, April 16, 2013 3:53 PM  
**To:** O'Leary, Jessica (Hahn)  
**Subject:** ESUN journal search request

Hello Jessica,

Please see the attached request. Thank you very much for your assistance. If there are any questions my cell is [REDACTED]  
[REDACTED] Thank You



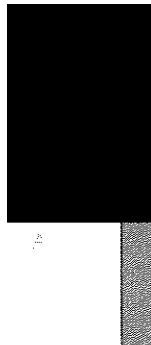
**CARLSBAD**  
Police Department

Mickey Williams  
Sergeant  
Carlsbad Police Department  
Professional Standards and Services Division  
2560 Orion Way  
Carlsbad, CA 92010

P: 760-931-2178  
F: 760-931-8473  
[mickey.williams@carlsbadca.gov](mailto:mickey.williams@carlsbadca.gov)

Search Criteria

Name like  
DOB  
CDL  
LIC



(eSUNWeb)

From Date 3/1/2013 00:00:00  
To Date 3/20/2013 23:59:59

(CountyLocals)

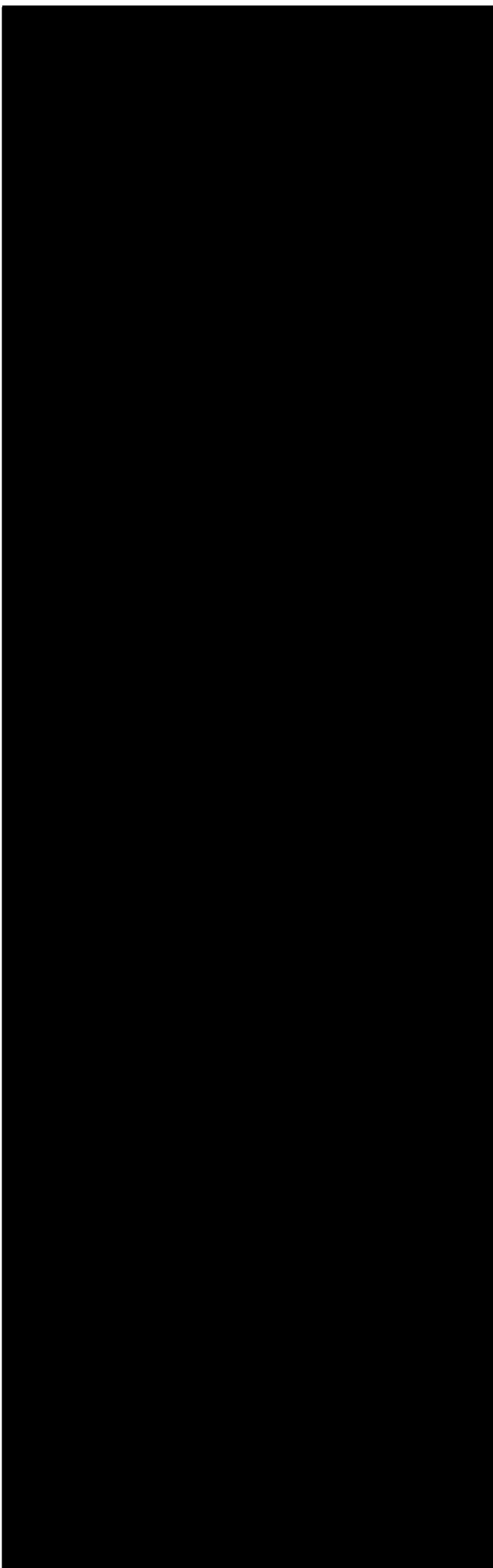
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(SDLaw)

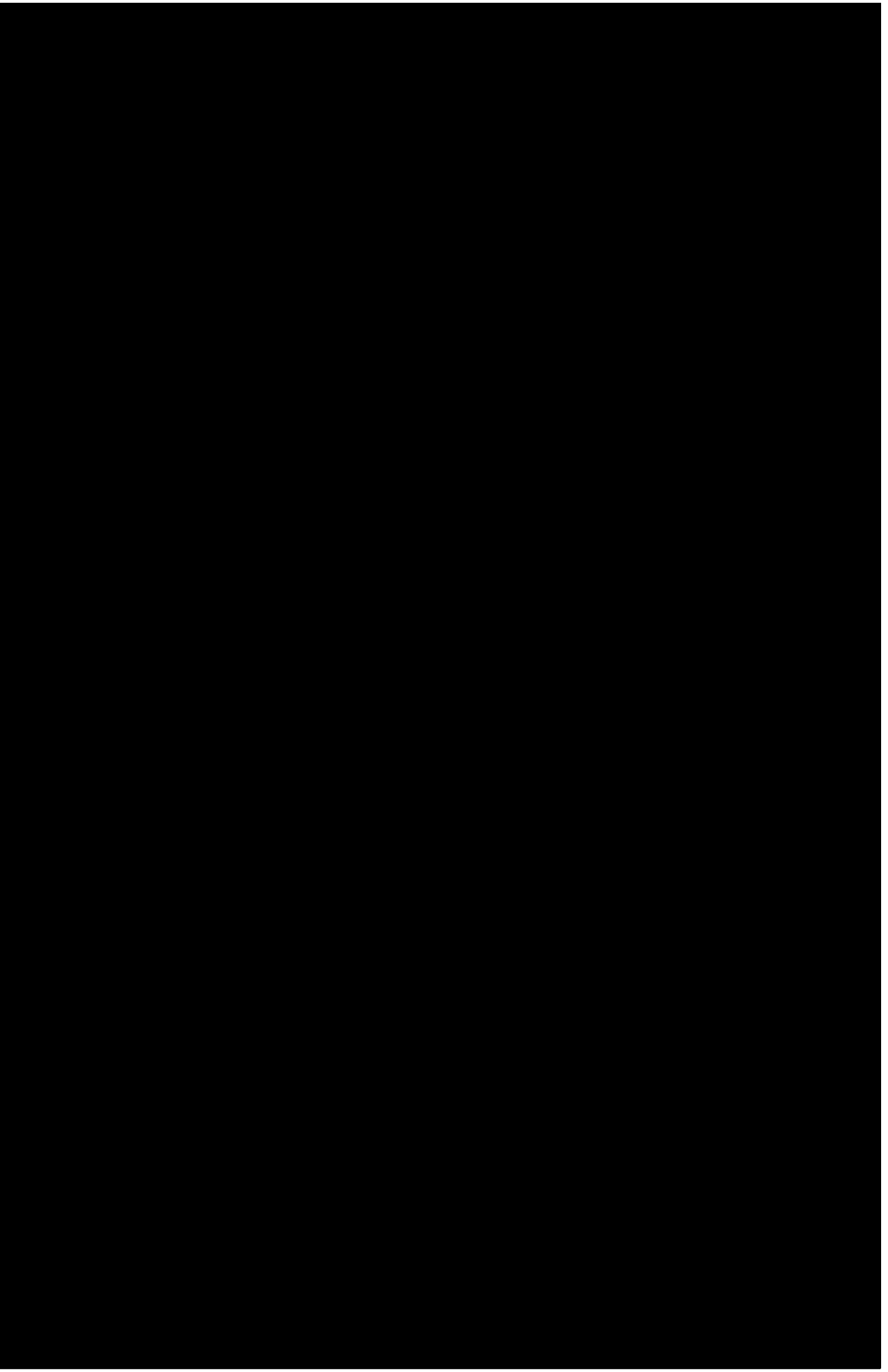
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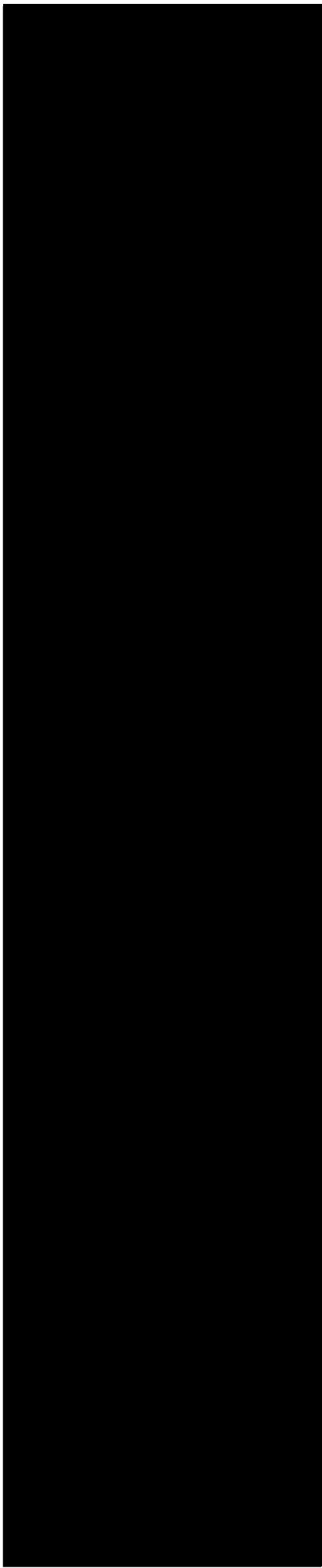
Notes:

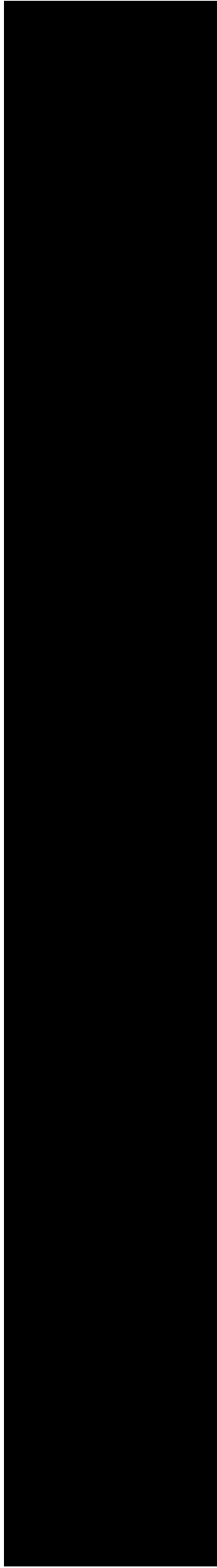
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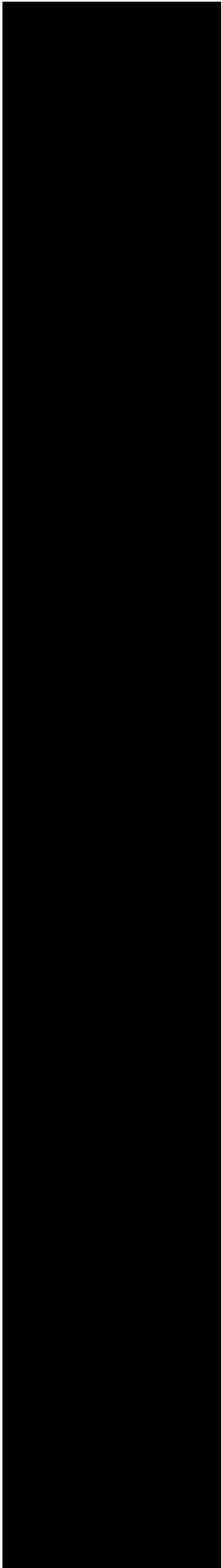


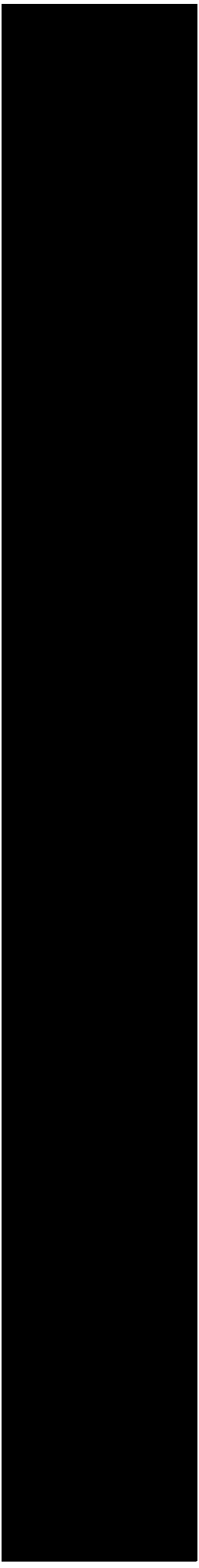
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12

## Mickey Williams

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**From:** Saulpaugh, Chris <Chris.Saulpaugh@sdsheriff.org>  
**Sent:** Tuesday, April 23, 2013 10:41 AM  
**To:** Mickey Williams  
**Cc:** O'Leary, Jessica (Hahn)  
**Subject:** Audit Results  
**Attachments:** 042313.████████5221.zip; 042313.████████All.zip

Hi SGT Williams,

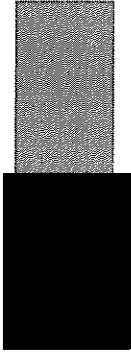
Results attached in 2 zip files. Let me know if you have problems with these zips.

Cheers,

Chris Saulpaugh  
eSUN Infrastructure Engineer  
(858) 505-6613 (desk)  
(858) 602-8417 (cell)

Search Criteria

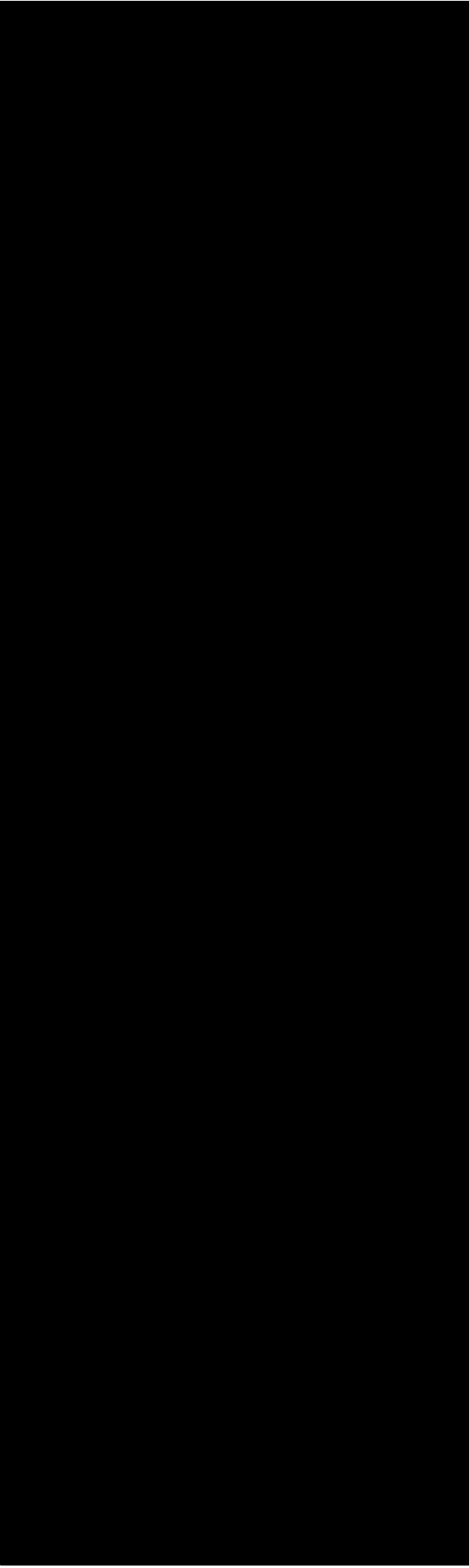
Name like  
DOB  
User ID



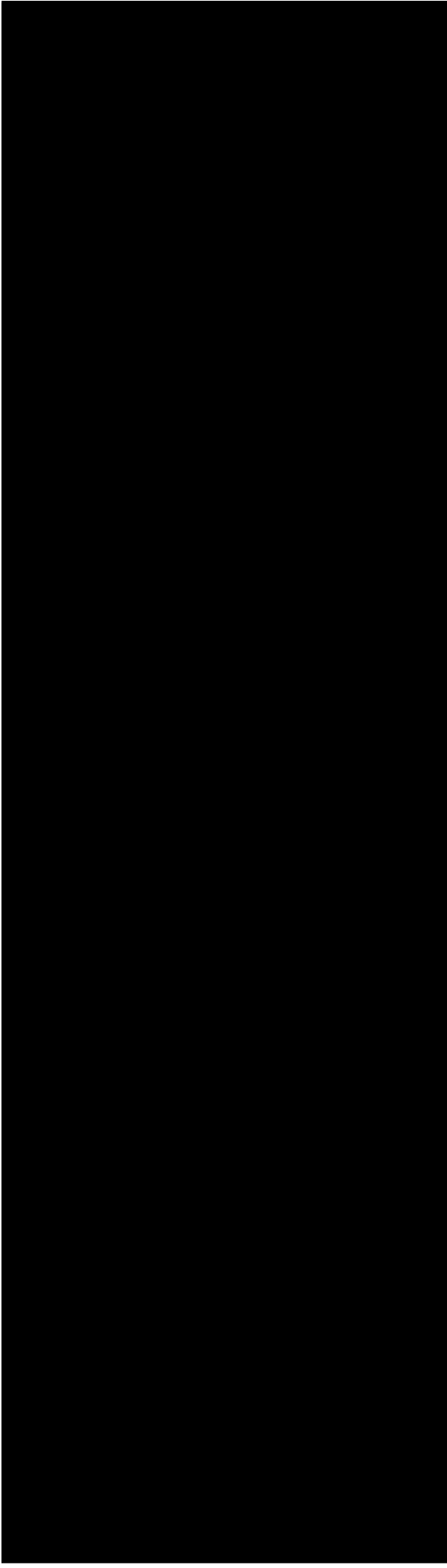
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From Date 4/22/2013 00:00:00  
To Date 4/22/2013 23:59:59  
(CountyLocals)  
From Date 4/22/2013 00:00:00  
To Date 4/22/2013 23:59:59  
(SDLaw)  
From Date 4/22/2013 00:00:00  
To Date 4/22/2013 23:59:59

Notes:

Approx Hours: 1













13

## Mickey Williams

---

**From:** Saulpaugh, Chris <Chris.Saulpaugh@sdsheriff.org>  
**Sent:** Tuesday, April 23, 2013 10:41 AM  
**To:** Mickey Williams  
**Cc:** O'Leary, Jessica (Hahn)  
**Subject:** Audit Results  
**Attachments:** 042313.████████.5221.zip; 042313.████████.All.zip

Hi SGT Williams,

Results attached in 2 zip files. Let me know if you have problems with these zips.

Cheers,

Chris Saulpaugh  
eSUN Infrastructure Engineer  
(858) 505-6613 (desk)  
(858) 602-8417 (cell)

Search Criteria

Name like  
DOB  
CDL  
LIC

[REDACTED]

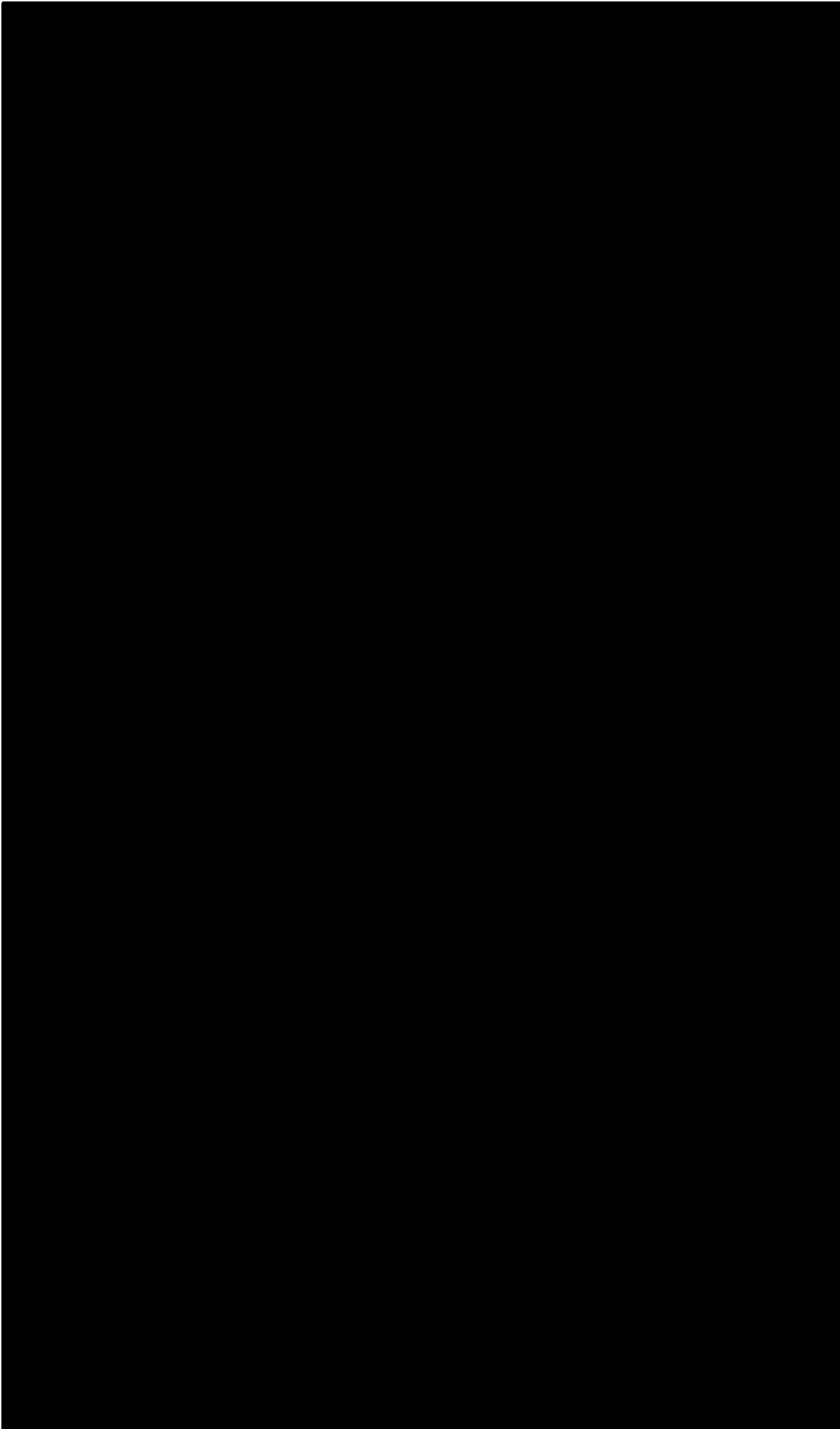
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To Date 3/14/2013 23:59:59  
(SDLaw)  
From Date 3/14/2013 00:00:00  
To Date 3/14/2013 23:59:59

Notes: Any Carlsbad User ID

Approx Hours: 1

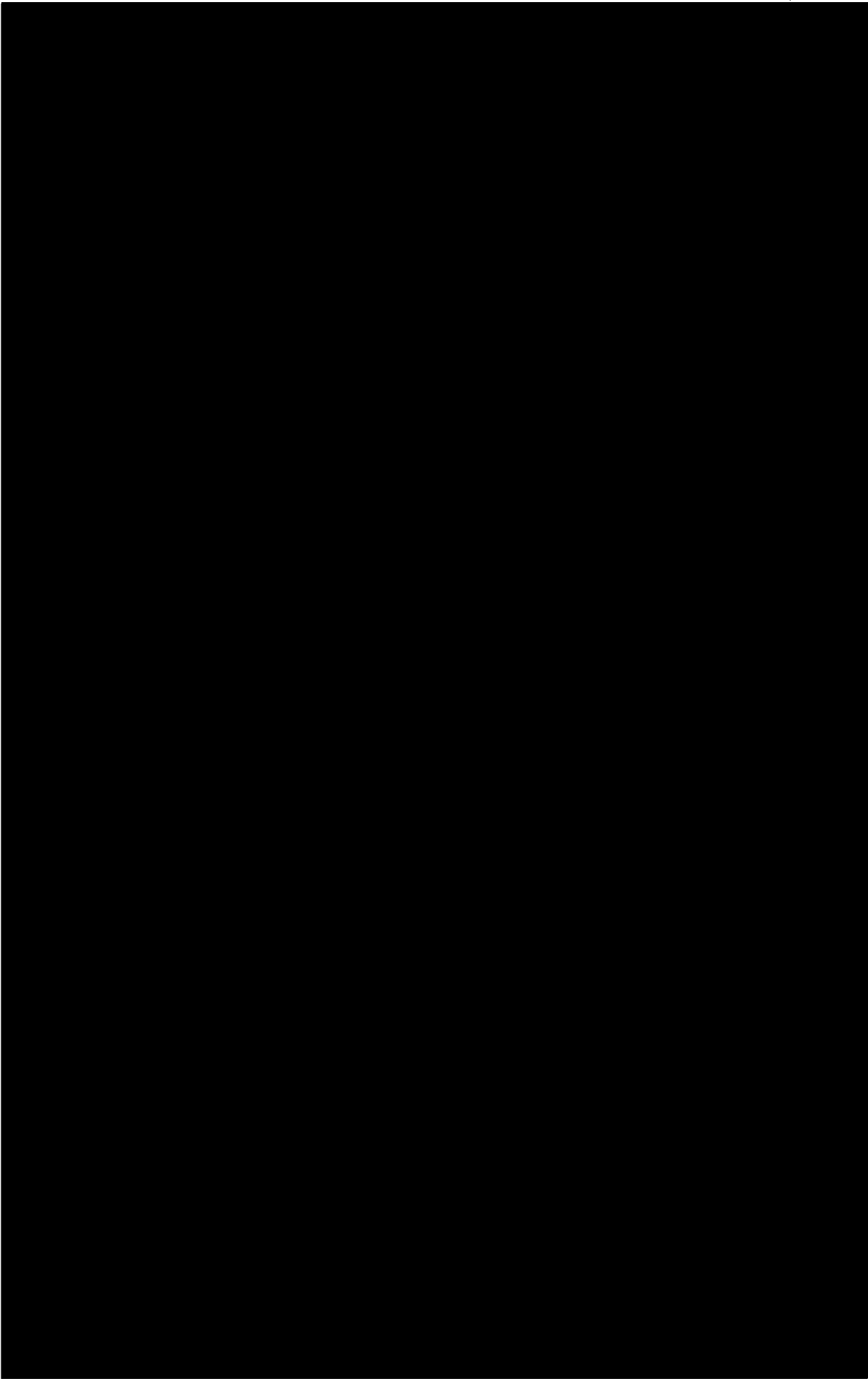






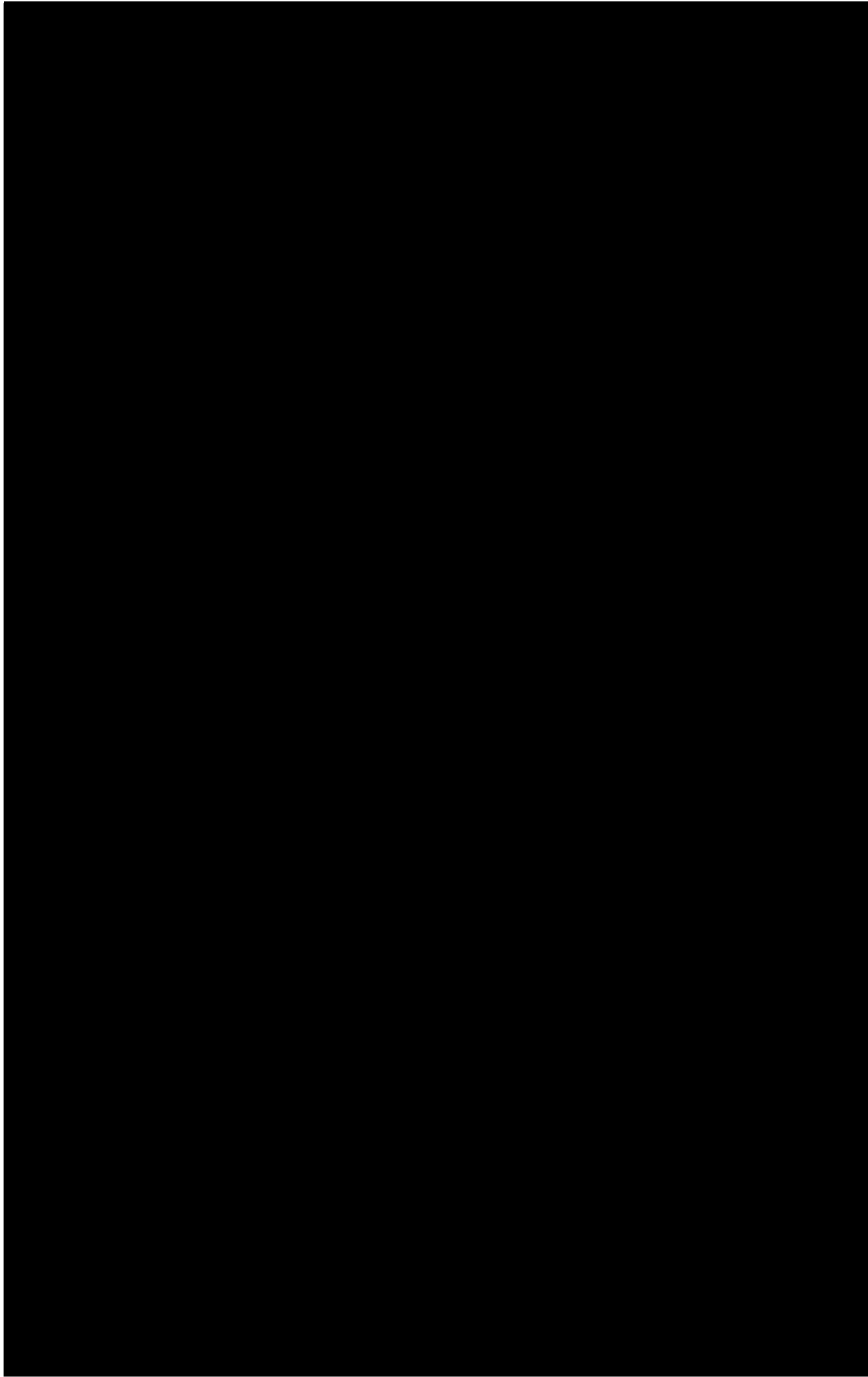
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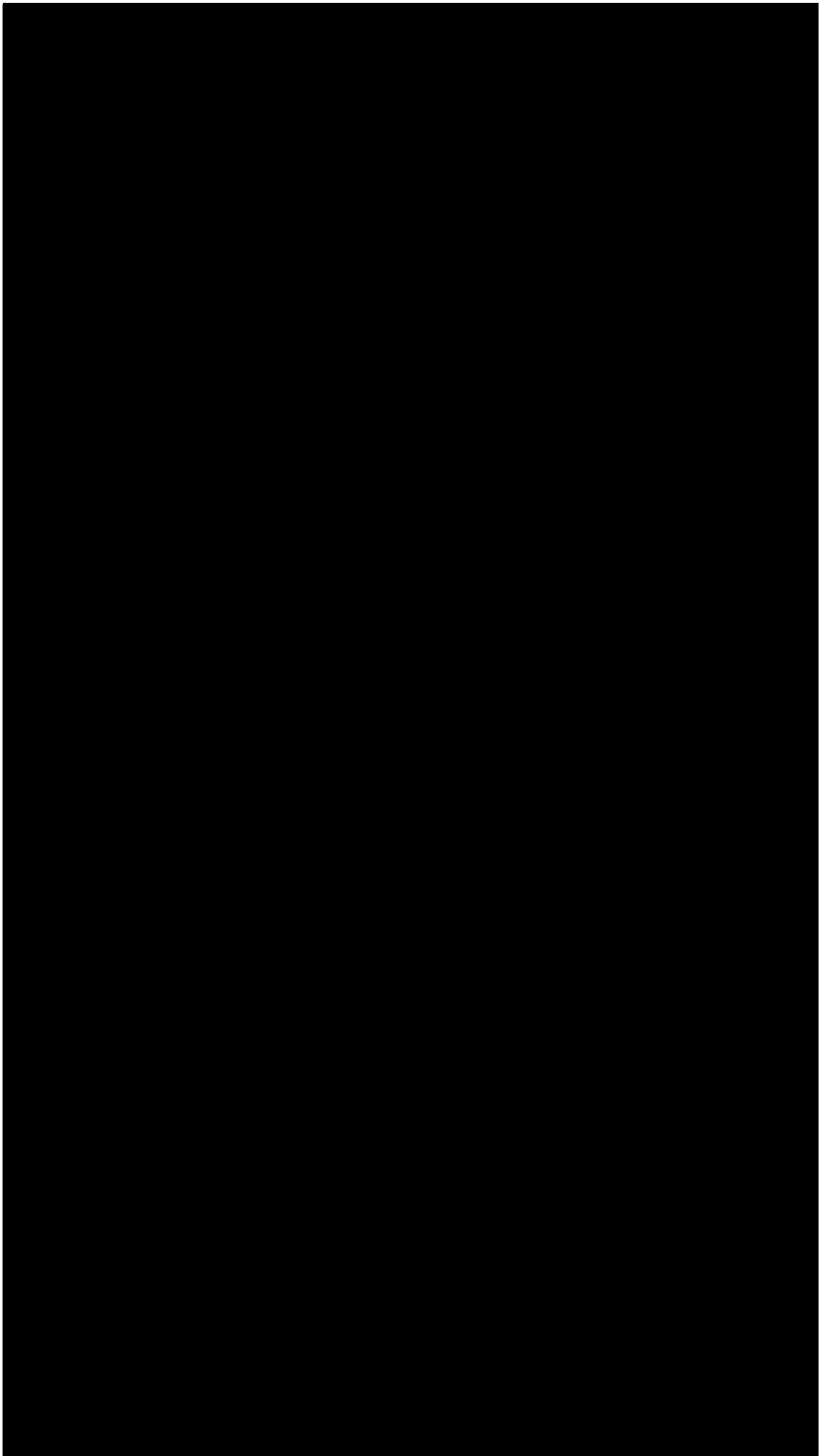


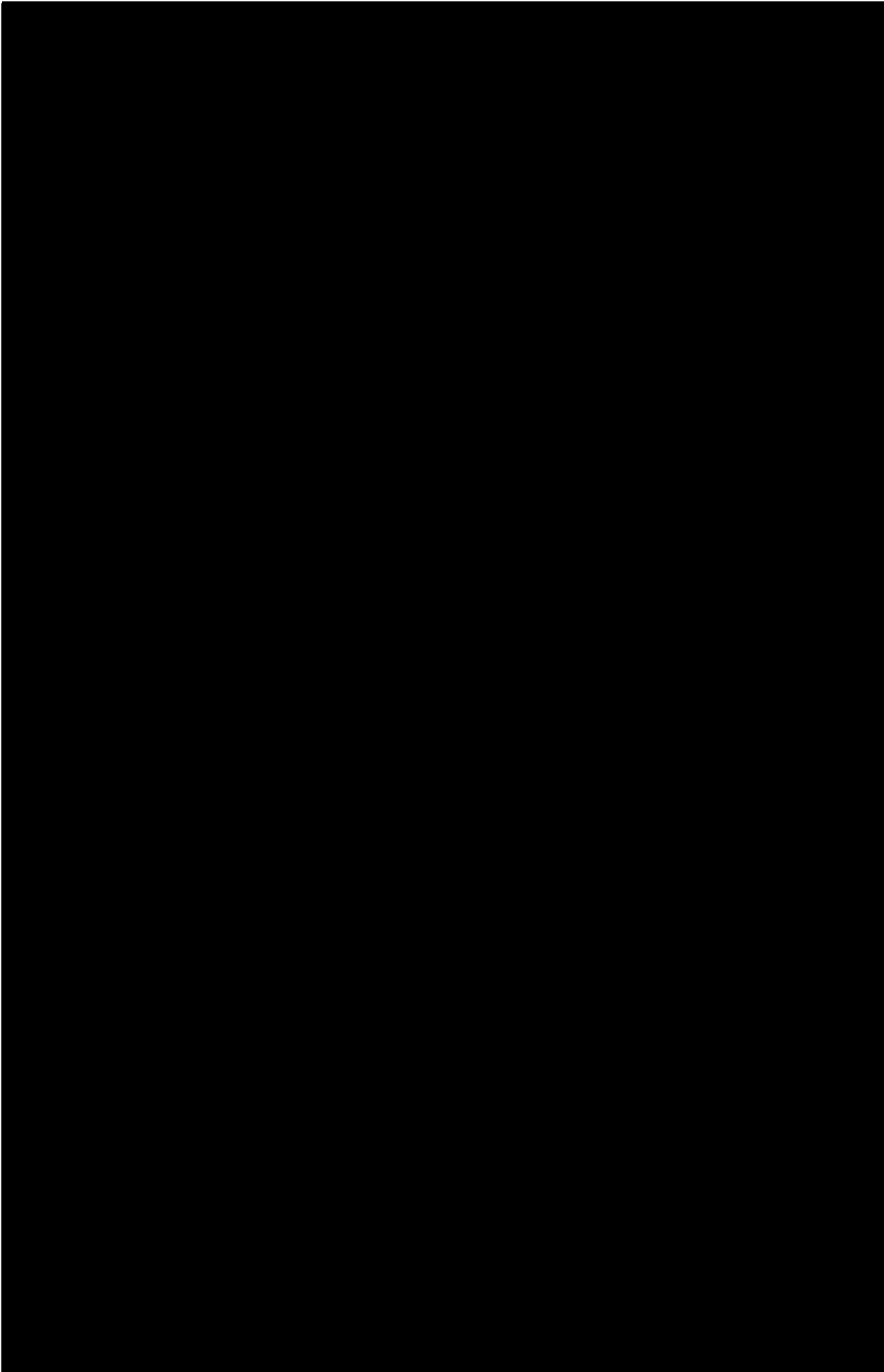


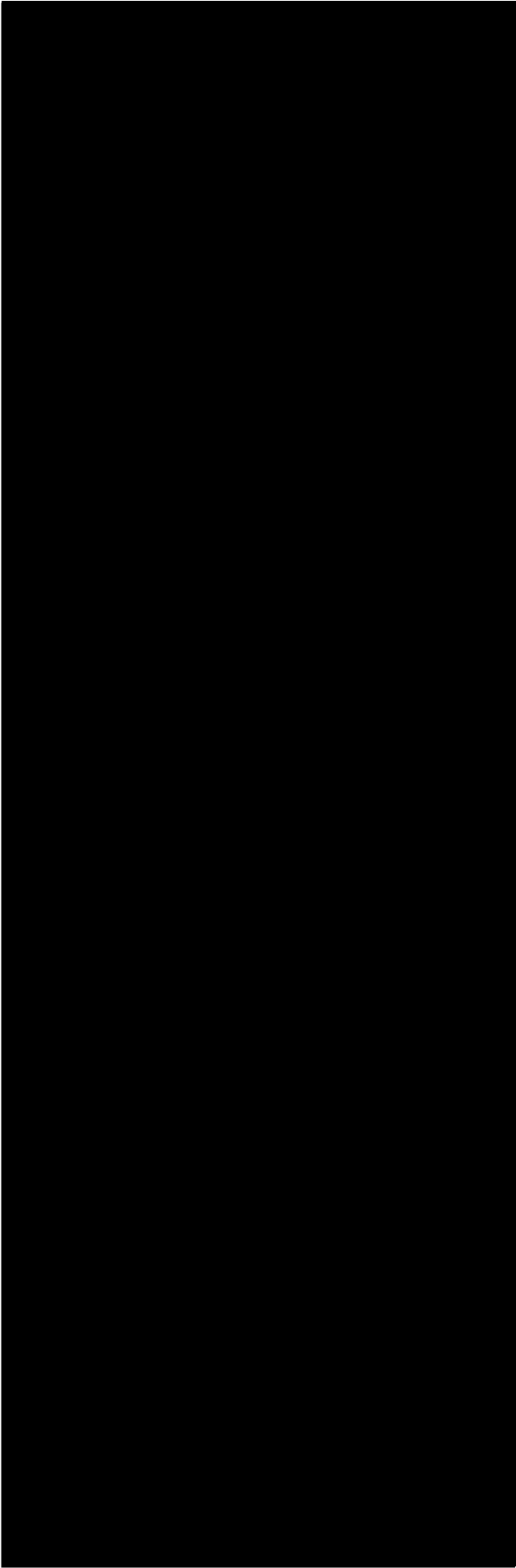


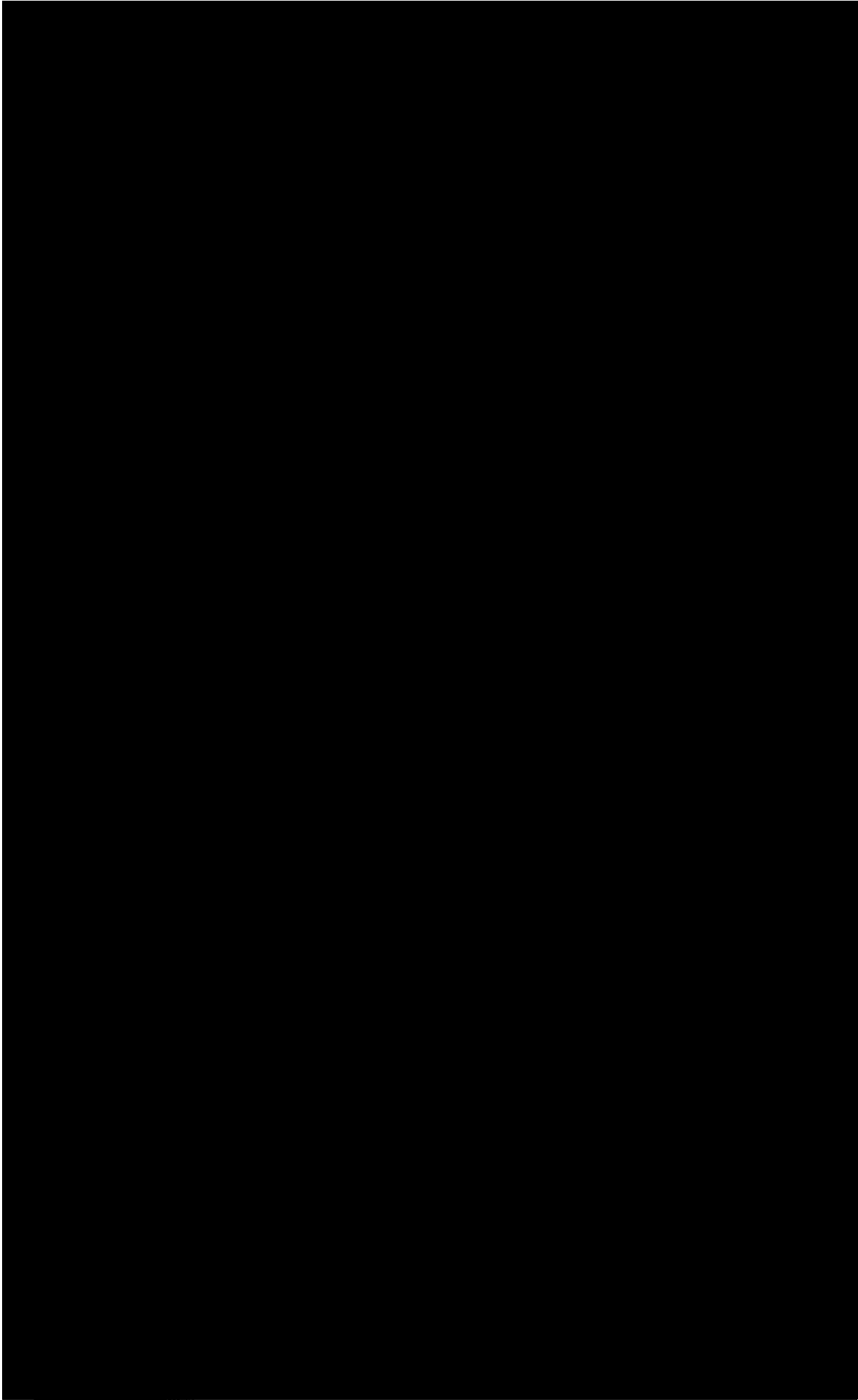


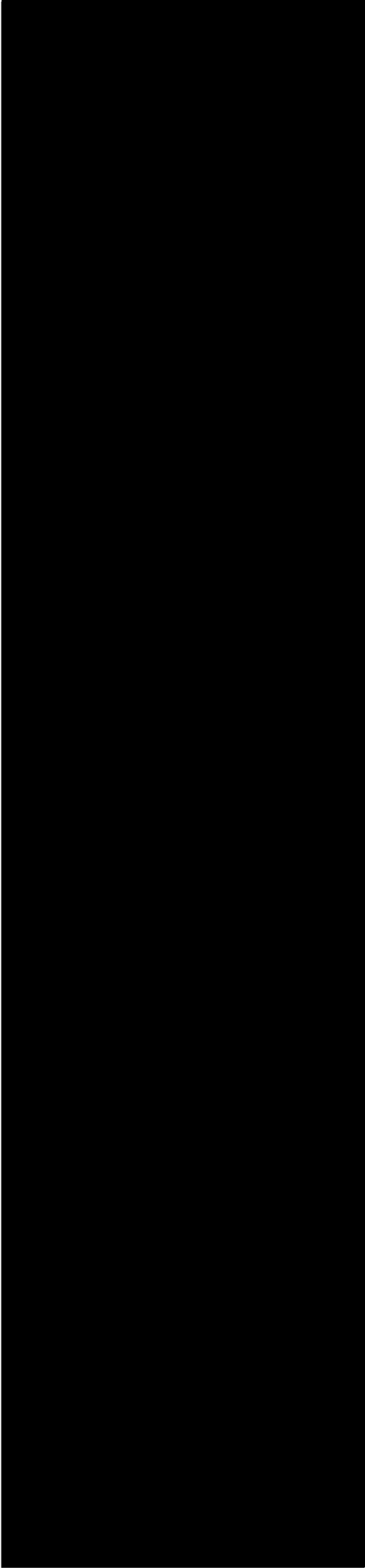


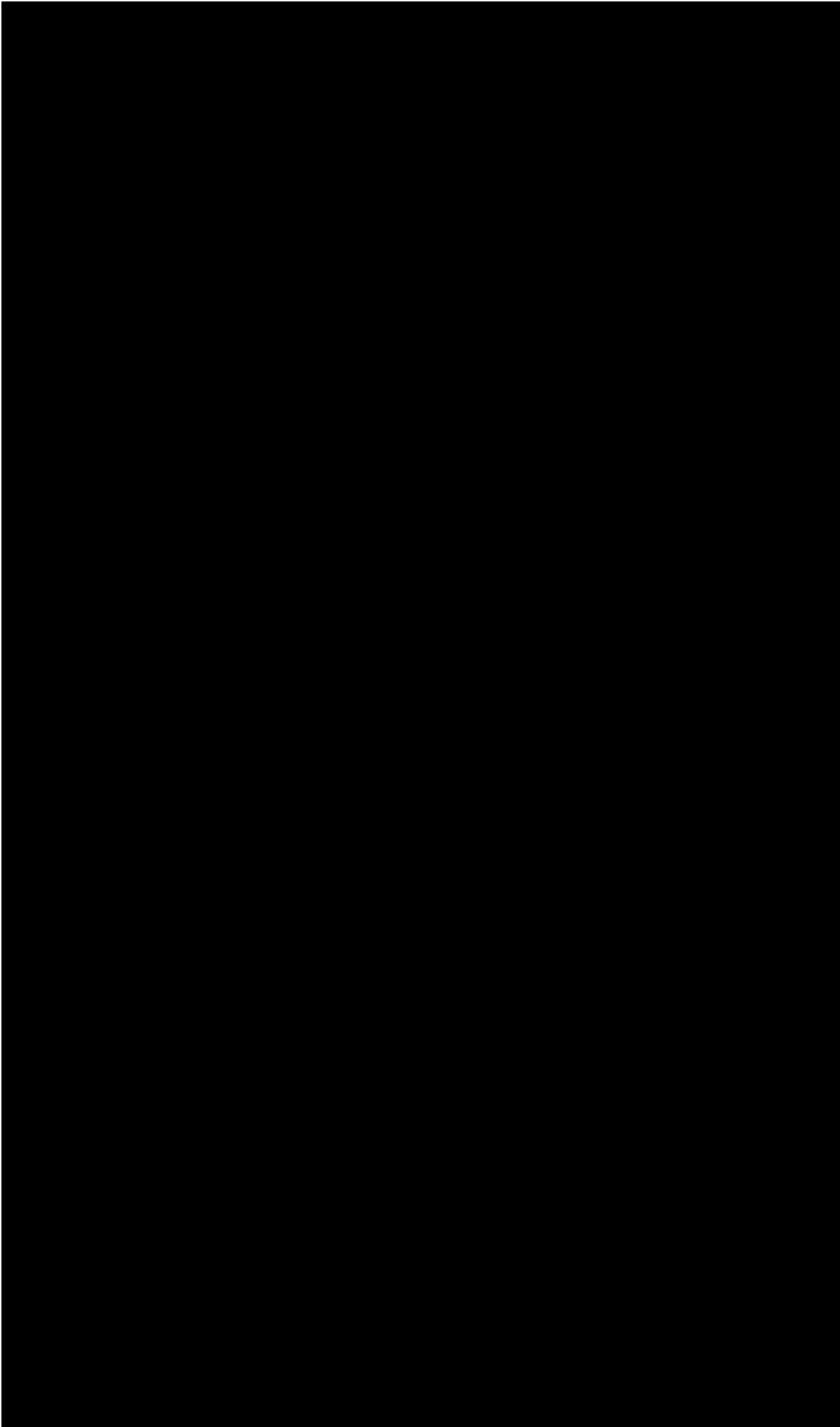


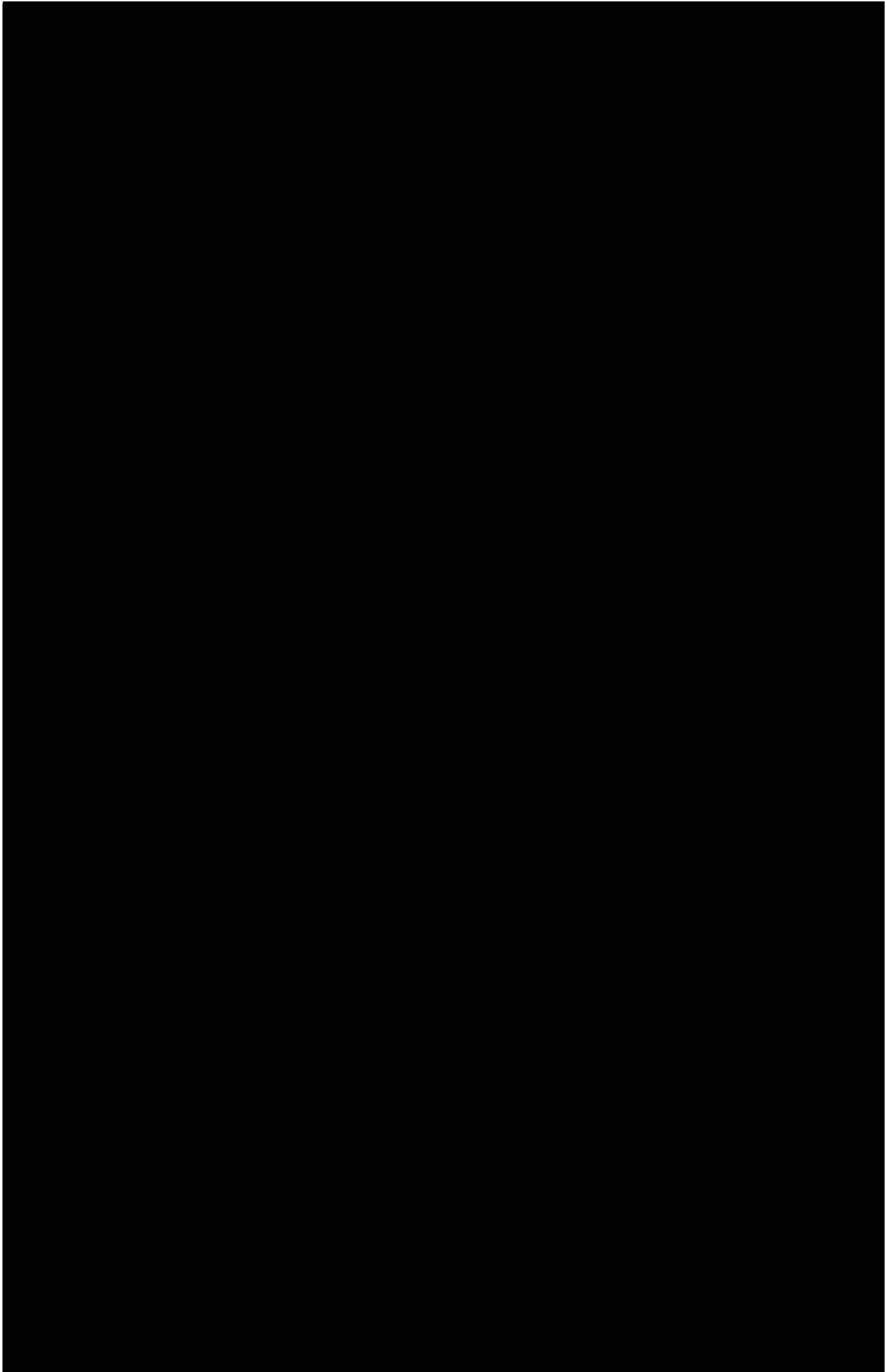


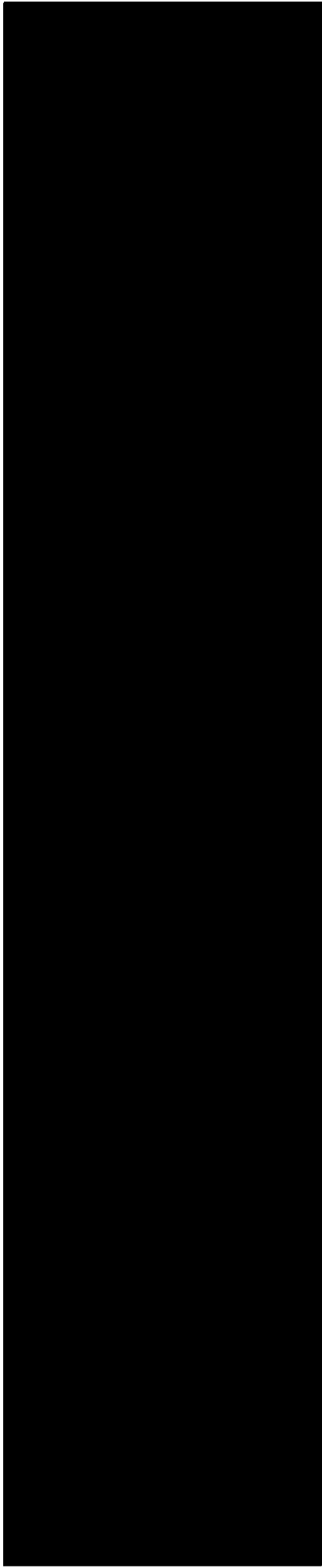


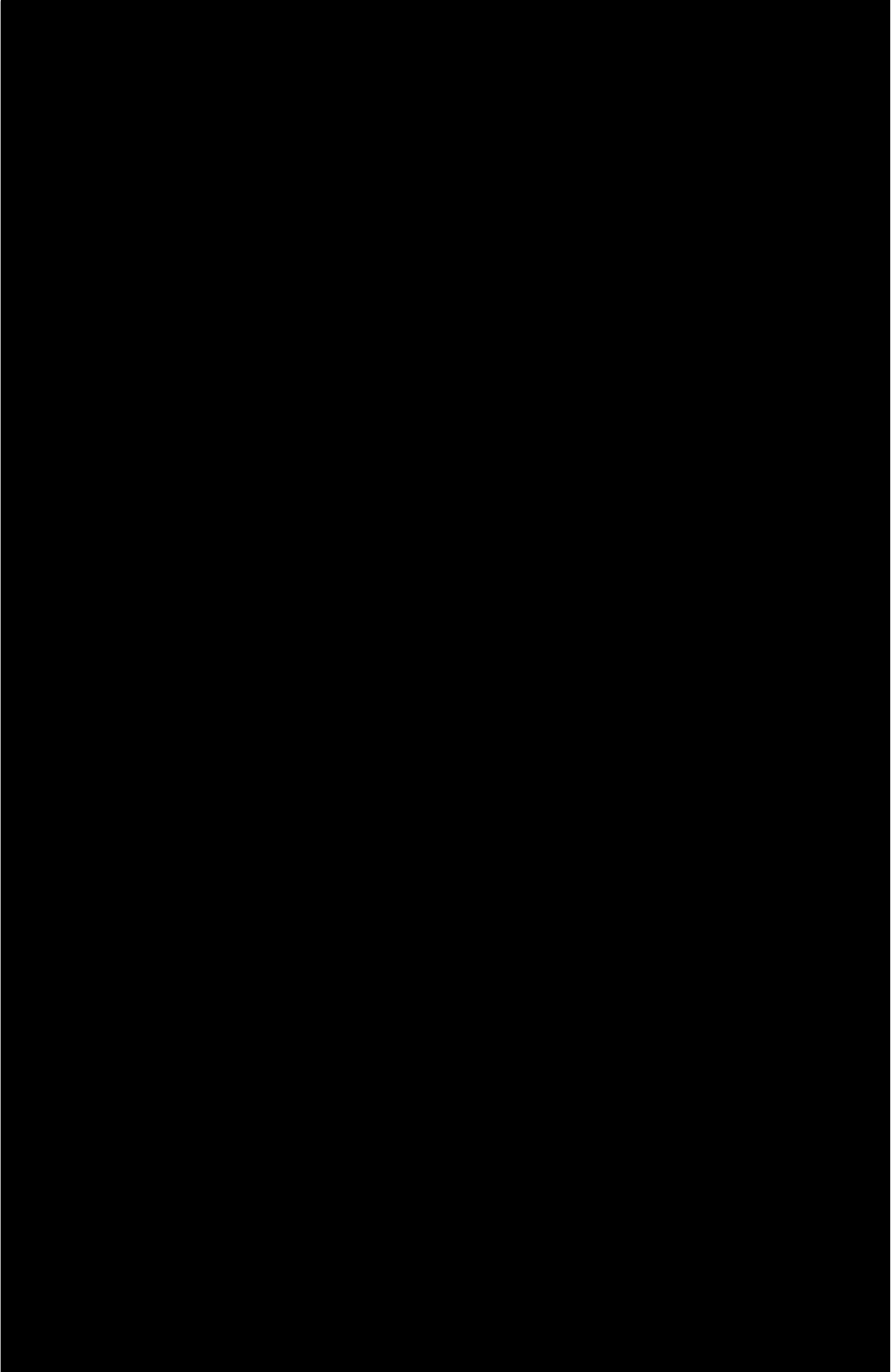






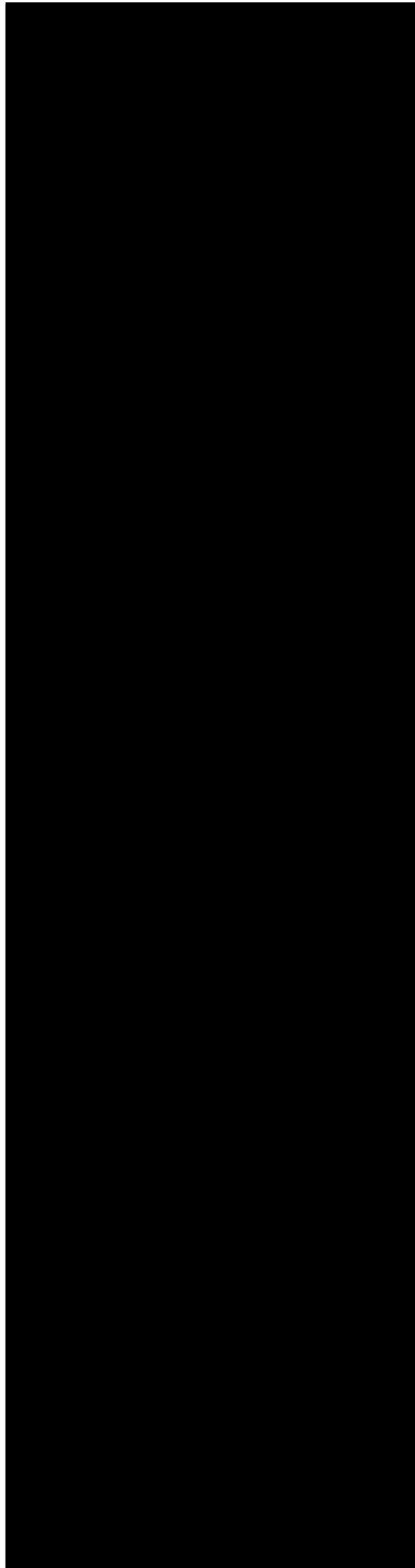


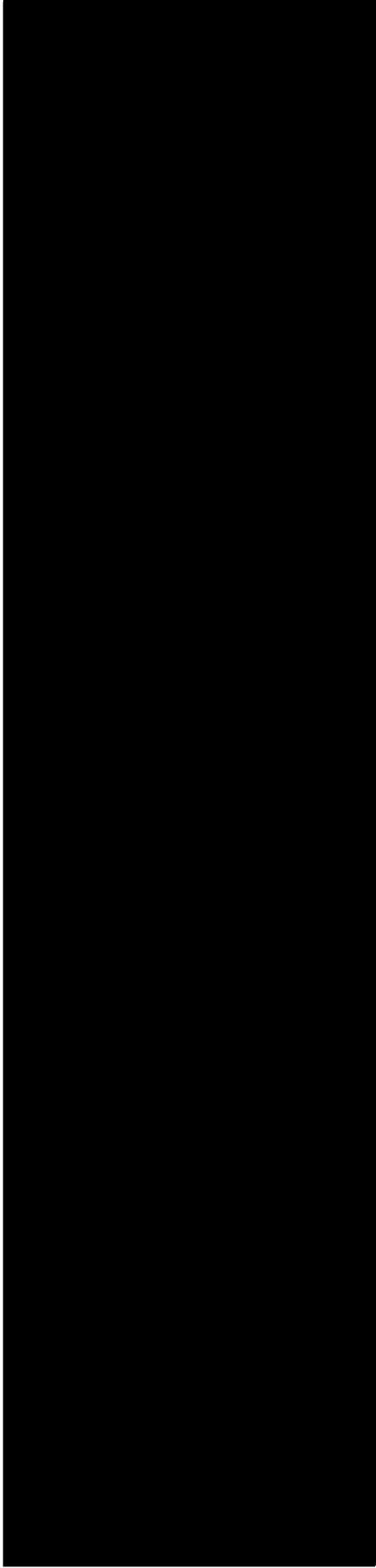


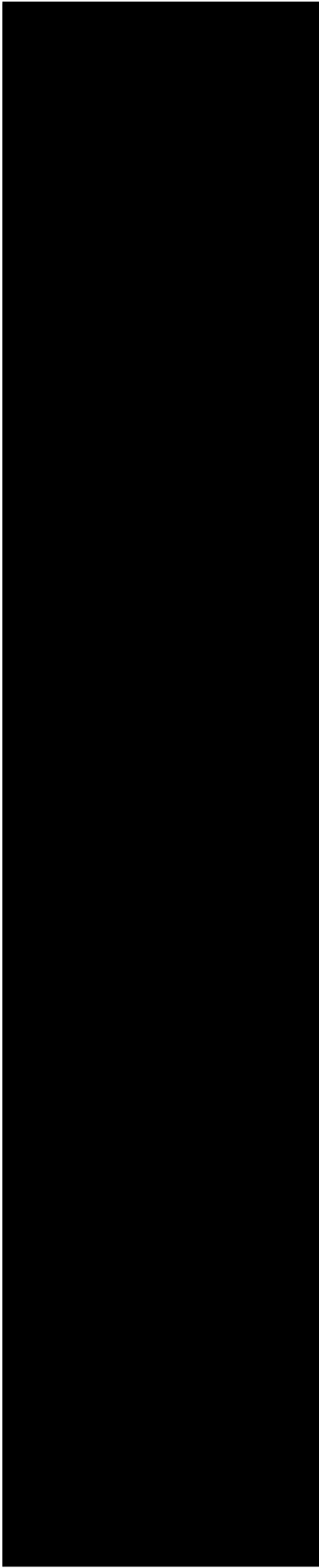














14

## Mickey Williams

---

**From:** O'Leary, Jessica (Hahn) <Jessica.O'Leary@sdsheriff.org>  
**Sent:** Wednesday, April 24, 2013 2:18 PM  
**To:** Mickey Williams  
**Subject:** FW: Audit Results  
**Attachments:** 042413. [REDACTED].zip

Results attached, thanks!

Jessica

-----Original Message-----

**From:** Mickey Williams [<mailto:Mickey.Williams@carlsbadca.gov>]  
**Sent:** Wednesday, April 24, 2013 8:40 AM  
**To:** O'Leary, Jessica (Hahn)  
**Cc:** Saulpaugh, Chris  
**Subject:** RE: Audit Results

Jessica and Chris,  
I apologize but I have one more search request for this case we have been working on.

What I was hoping to search is:

All County mainframe searches (that would access fourth waiver probation status info) by any Carlsbad PD employee for [REDACTED] between 6-1-12 and 3-14-13. Please let me know if there are any problems or questions.  
Thanks Mickey (cell 760-450-4539)

Mickey Williams  
Sergeant  
Carlsbad Police Department  
Professional Standards and Services Divison  
2560 Orion Way  
Carlsbad, CA 92010

P: 760-931-2178  
F: 760-931-8473  
[mickey.williams@carlsbadca.gov](mailto:mickey.williams@carlsbadca.gov)

-----Original Message-----

**From:** O'Leary, Jessica (Hahn) [<mailto:Jessica.O'Leary@sdsheriff.org>]  
**Sent:** Tuesday, April 23, 2013 11:12 AM  
**To:** Saulpaugh, Chris; Mickey Williams  
**Subject:** Re: Audit Results

Thanks Chris!

----- Original Message -----

From: Saulpaugh, Chris

Sent: Tuesday, April 23, 2013 10:41 AM

To: 'Mickey.Williams@carlsbadca.gov' <[Mickey.Williams@carlsbadca.gov](mailto:Mickey.Williams@carlsbadca.gov)>

Cc: O'Leary, Jessica (Hahn)

Subject: Audit Results

Hi SGT Williams,

Results attached in 2 zip files. Let me know if you have problems with these zips.

Cheers,

Chris Saulpaugh

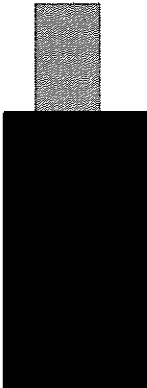
eSUN Infrastructure Engineer

(858) 505-6613 (desk)

(858) 602-8417 (cell)

Search Criteria

Name like  
DOB

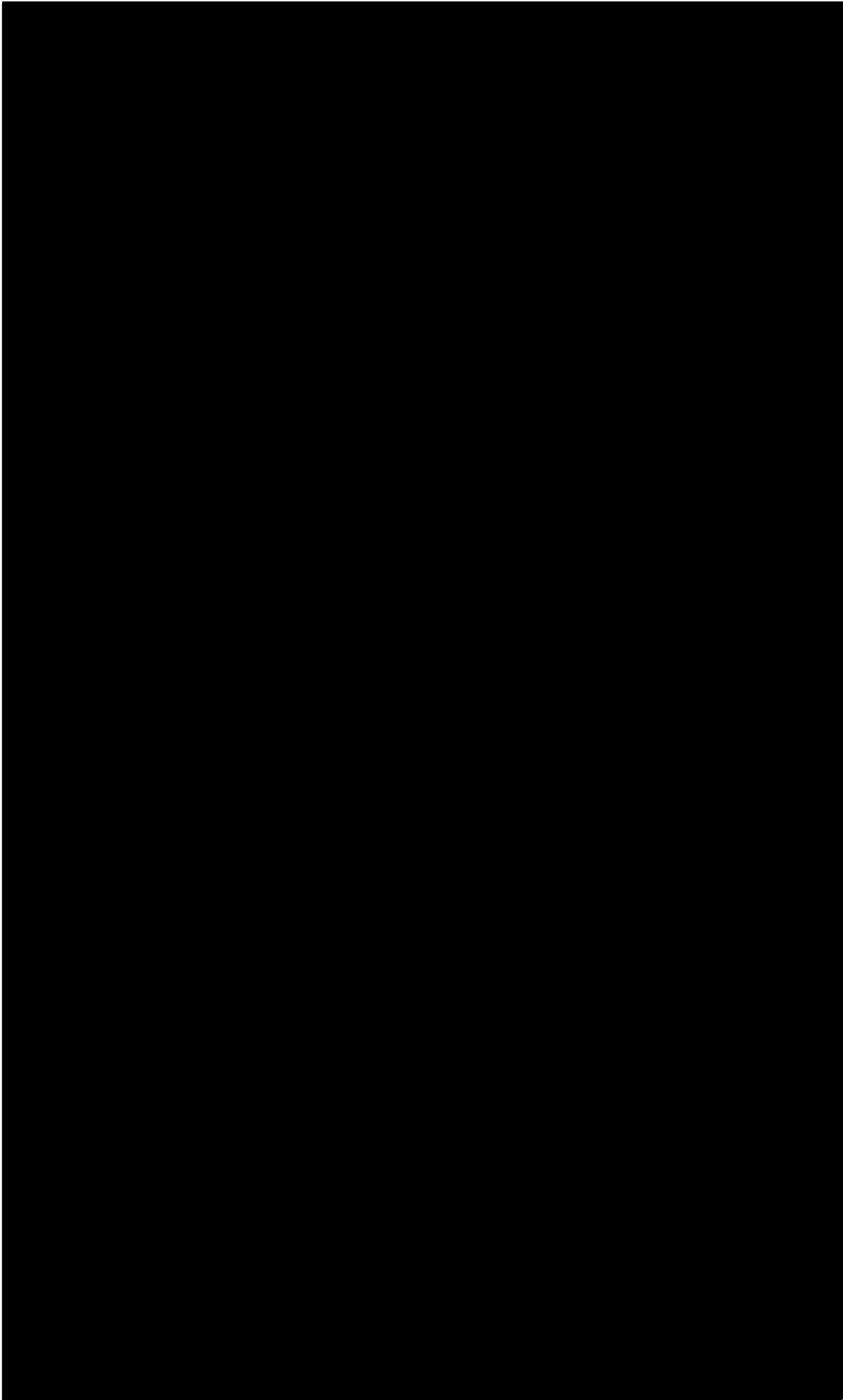


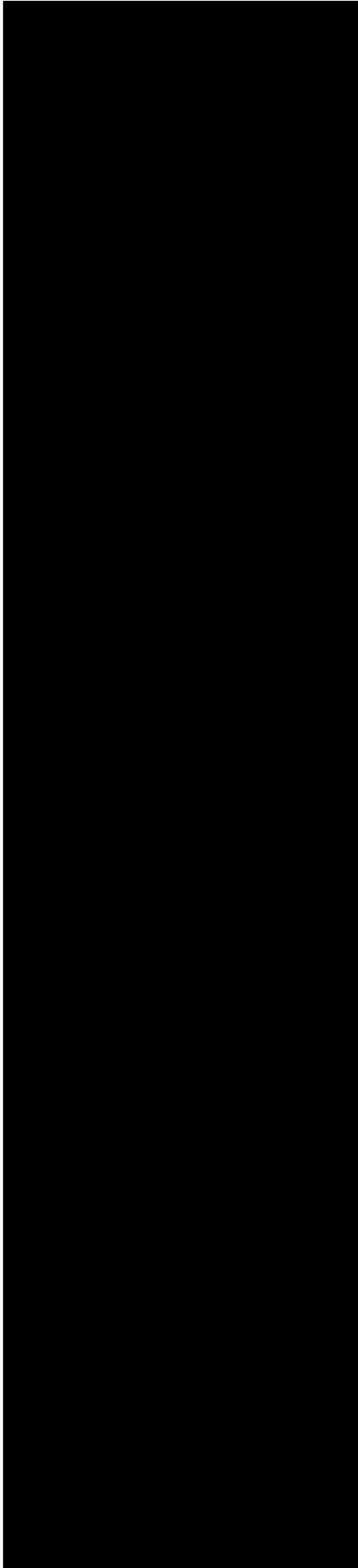
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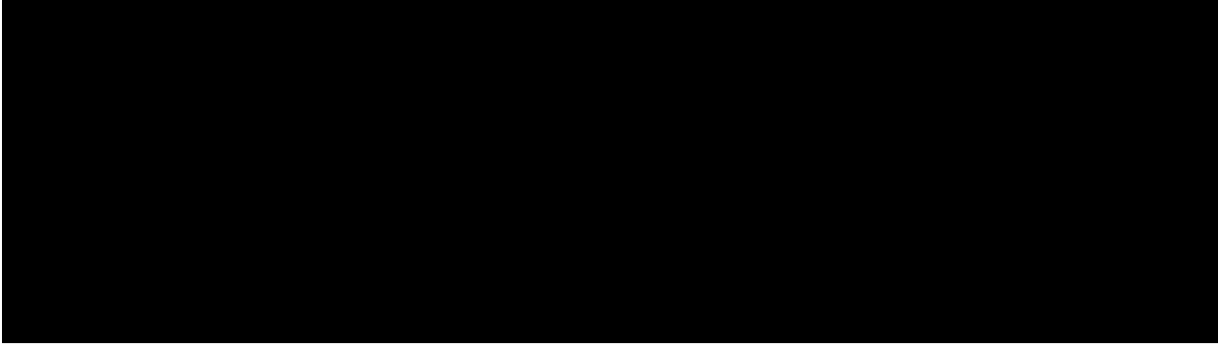
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To Date 3/14/2013 23:59:59

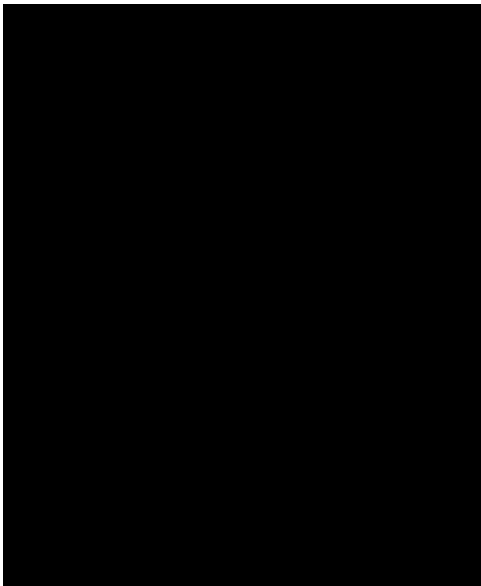
Notes:

Approx Hours: 1













15

Coltsbad Police Department  
Daily Patrol Shift Schedule

THURSDAY 03-14-13

E-2

SPECIAL EVENTS:

CALL SIGN	NAME	ARJIS #	MISC.	8 HOUR	SPECIALTY	VEH #
4L	Lt. MAY	5092	1400-0200			A233
41S						A973
42S	Sgt. BERONDA	5265			PS	A093
✓ 41P	Off. BENTLEY	5427				A235
✓ 42P	Off. MCCULLOUGH	5440		17-01		A134
✓ 43P	Off. BELLAMY	5443				A210
✓ 44P	Off. GREEN	5433				A267
✓ 45P	Off. GARRETT	5423			LJ	A170
✓ 46P	Off. BURNS	5420	w/ EXPLORER			A133
✓ 47P	Off. THOMPSON	5383				A240
✓ 48P	Off. SISCO	5426				A237
✓ 41E	Off. J. COSGROVE	5379				A209
✓ 42E	Off. KRAWCZYK	5395				A266
✓ 44E	Off. RICHARDS	5391		EOS 2300	SWAT	A206
46E						
✓ 47E	Off. TORRES	5416			BL	A208
48E						
4K						
4Z						
4T						
10	DEVELASCO/KARCHES					
SICK						
VAC/CTO						
TRNG	CHASE, ERNST					
OTHER	LEHAN (IOD)					

Coltsbad Police Department  
Daily Patrol Shift Schedule

**SATURDAY 03-16-13**

**D-2**

SPECIAL EVENTS: TIME CARDS

CALL SIGN	NAME	ARJIS #	MISC.	8 HOUR	SPECIALTY	VEH #
1L		5181				A233
31S	SGT. THOMAS					A093
32S	Sgt. BEASON	5188				A171
31P	J. MEDONIK	5382				A136
32P	A. JUCENAS	5288		04-1200	FTO	A238
33P	K. ZAVALA	5292			LL	A236
34P	D. ERNST	5275			CNT/PERT	A135
35P	B. KIDD	5325			SWAT	A096
36P	D. SEALE	5238			SWAT	A264
37P	P. CABLE	5269			LL	A173
38P	E. HOPPE	5332			FTO	A262
32E						
34E						
36E						
38E						
3K						
3Z	CSO MARTELL	5262			FET	A103
SICK	SUTT					
VAC/CTO	LAMBERT					
TRNG						
OTHER	BOYCE/SHIPLEY (FMLA) G. ZAVALA					

Coltsbad Police Department  
Daily Patrol Shift Schedule

**SATURDAY 03-16-13**

E-2

**SPECIAL EVENTS:**

CALL SIGN	NAME	ARJIS #	MISC.	8 HOUR	SPECIALTY	VEH #
4L	Lt. MAY	5092				A233
41S	Sgt. CHASE	5348				A973
42S	Sgt. BERONDA	5265		16-24	PS	A093
41P	Off. BENTLEY	5427				A235
42P	Off. MCCULLOUGH	5440				A134
43P	Off. BELLAMY	5443				A210
44P	Off. GREEN	5433				A267
45P	Off. COSGROVE	5379				
46P	Off. BURNS	5420				A133
47P	Off. THOMPSON	5383				A240
48P	Off. SISCO	5426				A237
41E						A209
42E	Off. KRAWCZYK	5395				A266
44E	Off. RICHARDS	5391			SWAT	A206
46E						
47E	Off. TORRES	5416			BL	A208
48E						
4K	CPL. ERNST	5298			K9	A062
4Z						
4T						
5H	FANENE	5314		20-03		
6H	HARVEY	5208		20-03		
SICK	GARRETT					
VAC/CTO						
TRNG						
OTHER	LEHAN (IOD)					

16

Message #: 39132569

From: SYSTEM @ CLETS 04.26.13 11:03:53

To : cb5221 @ 500057790

4CEJ08C3AD8.IV

DATE: 04/26/13 TIME: 11:03

END

17

Sgt. Williams: All right I am Sergeant Sgt. Williams and I am the officer in charge of this investigation for the Carlsbad Police Department. Today's date is April 18, 2013 and the current time is 1629 hours. We are in my office at the Carlsbad Police Station; Sergeant Sgt. Jackowski is also present and will be assisting with this interview.

Present at this interview is Sergeant Sgt. Beronda who does not have a representative. This interview is being recorded, the purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14, 2013, specifically it is alleged that Officer Sisco provided false information to her supervisor and authored either a false or inaccurate police report related to an incident that occurred on March 14, 2013.

Today's questioning concerns administrative matters related to the official business of the Carlsbad Police Department on behalf of the Chief of Police I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness I will stop the interview and we will reschedule for a later time where you will be provided with all the rights afforded to an accused officer per the peace officer bill of rights. Sergeant Beronda do you understand what I just read you?

Sgt. Beronda: Yes.

Sgt. Williams: Do you have any questions regarding what I just read?

Sgt. Beronda: No.

Sgt. Williams: On March 14th what was your job, do you remember?

Sgt. Beronda: Yes, a patrol sergeant for the E2 shift, four p.m. to four a.m.

Sgt. Williams: From four p.m. to 4 a.m.?

Sgt. Beronda: Correct.

Sgt. Williams: Does Officer Sisco work on your shift?

Sgt. Beronda: Yes.

Sgt. Williams: You had written a complaint form and forwarded it up to internal affairs and in it you mentioned that you had a discussion with her regarding an arrest that she made at 7662 El Camino Real Carlsbad Case #13-01544. Do you remember that discussion that you had with her that led you to file the supervisor's complaint?

Sgt. Beronda: Yes.

Sgt. Williams: Tell me where it was and what the discussion, what was said during the discussion?

Sgt. Beronda: The location was the evidence packaging room on the first floor where she was in the process of packaging evidence and so forth. I came through there for some reason and was speaking to her about her arrest, which was a narcotics related arrest. In speaking to her she was just telling me the circumstances of the arrest and I recall asking her what was the reason for the stop or something like that.

She was explaining to me, I think it may have been the PC form. Honestly I don't remember how it started, but the probable cause for the stop came up and she told me that she saw two or three minor vehicle code violations. Off the top of my head I'm trying to remember I think it was a taillight violation, and maybe registration, and then the driver turned out to be unlicensed.

In that conversation I asked her where she saw this vehicle driving and she told me, she initially saw it parked at a Circle K gas station 7600 ECR, then drove through the parking lot to Flippin' Pizza, which is in the same shopping center parking lot, never entering a highway and remaining on the private property the entire time.

I asked her, I told her, "You realize that the vehicle codes don't apply on the private property." Then she told me, "Well the passenger was a fourth waiver." I said, "When did you know that?" She said, "I knew that prior to, because I had prior to stopping, because I had run the plate then ran the registered owner then looked up the registered owner's picture all this on the vehicle computer." I then verified that the female passenger she saw get into the car was the same picture as the person with the active fourth waiver, so then she made the stop over at Flippin' Pizza.

She actually told me that she had to make a stop, they had pulled into a stall and she just pulled up behind them or near them and walked up to them and initiated the contact. At some point during this conversation Lieutenant May walked in and he was just kind of overhearing the conversation. I assumed to supervise me or whatever.

I told her that "okay it sounds like you have probable cause and so forth, you just have to write it with what's important, the vehicle code violations that don't apply aren't important." I was relaying this information as a learning point, as a teaching thing, because often times newer employees get mixed up as to what's the important things like the probable cause being all these equipment violations and stuff.

Forgetting that those don't apply, but it sounded like you had a reason for contact anyway which could be legitimate and should be written as such, write it as these are the facts that occurred, but the important facts that actually matter not the necessarily unimportant facts that make it seem like there wasn't probable cause or something like that, just trying to explain the reason for contact learning points, report writing learning points, and things like that.

That was the end of it and I never saw that report that day, I believe that was our Friday and then the next day she's a five o' clock or I get off at four in the morning. She gets off at five o' clock in the morning, so she must have turned it in after I left and Sergeant Thomas was working overtime that morning and when I went back and looked at the report I saw that he had signed it off, so he had reviewed it. In turn I reviewed to see what she wrote.

Sgt. Williams: What was your reason for going back and reviewing her report after Sergeant Thomas signed it off?

Sgt. Beronda: After our conversation I thought she understood the learning points and I felt confident that there was a proper detention and ultimate proper arrest in the case. Then I believe it was on March 16<sup>th</sup> or so Lieutenant May, Sergeant Chase, and I were in the watch commander's office speaking about issues, just varied issues, not necessarily Sisco.

Sergeant Chase brought up that she had a conversation with Officer Sisco about an arrest she had made at the mall where she had arrested a couple of juveniles and there was some question as to the elements of the crime, not being present and Sergeant Chase questioning Officer Sisco about the lack of elements and then find it strange that Officer Sisco suddenly remembered that the elements were there and she said something to the effect that she would check her notes to make sure.

It was something to do with the statements of the juveniles to Officer Sisco, which from experience we generally remember when they tell us things that are the elements of the crimes and you don't have to refer back to your notes especially for something as minimal as a shoplifting. What struck me is Sergeant Chase said it was weird, because it made me feel like she was just making it up.

Which at the time it made think of the conversation I had with Officer Sisco on the 14<sup>th</sup> about her probable cause for the stop and how it had initially gone from one thing, from traffic violations, and then gone to fourth waiver contact versus a traffic enforcement stop?

Sgt. Williams: When you made contact with Sisco in the evidence processing room, that was the same day she made the arrest is what I'm understanding?

Sgt. Beronda: Yes, that's the way I remember it.

Sgt. Williams: Do you remember about what time you talked to her in the evidence room?

Sgt. Beronda: No, I don't remember at all. It was sometime during the evening.

Sgt. Williams: Was there anyone else in there other than Lieutenant May?

Sgt. Beronda: No.

Sgt. Williams: Did anyone else witness your guys' conversation?

Sgt. Beronda: Not that I recall.

Sgt. Williams: Is it standard practice on your watch that you have to review probable cause forms before the officers are allowed to book suspects?

Sgt. Beronda: Yes, we reinstituted that recently; probably shift change, the first week of March, second of March, March 4<sup>th</sup>.

Sgt. Williams: Basically when officers arrest people on the field, the supervisors on the watch have to approve their PC form before they're allowed to take them to jail?

Sgt. Beronda: Yes, I think that's where the conversation on the 16th occurred in the watch commander's office. That's how it came about. I was really surprised that some of the things that officers say are missing in their probable cause deck.

Sgt. Williams: When you spoke with Officer Sisco in the evidence processing room regarding this traffic stop, were you at that point reviewing her PC form or had she already booked a person in jail?

Sgt. Beronda: I want to say she already booked him into jail, because I think it was the male actually that got arrested, but I can't remember, I can't remember if she was just there packaging evidence or if someone else is watching the prisoner in the other room while she was doing evidence type stuff, but it seemed to me that she had already booked and she was there packaging evidence.

Sgt. Williams: When you initiated your conversation with Officer Sisco during any of the evidence processing room, did you, when you began talking to her right at the beginning. Was one of your reasons for talking to her, because you

suspected she'd done something wrong or were you just talking about the arrest she made?

Sgt. Beronda: No I didn't think she did anything wrong at all, I was just curious; I was just asking oh when did you get. I think probably the PC portion of the conversation came up because of the recent change or some of the people were forgetting to call us when they had done arrests, maybe I was asking that. I wasn't suspicious, I wasn't investigating it, I was just having a casual curious conversation. Then when I heard the potential learning points, I just took the opportunity to teach.

Sgt. Williams: When you're talking to her in the evidence processing room and your discussing her arrest that night, she tells you just so I get it right that she first saw the vehicle parked in the parking lot at the Circle K and then she saw the vehicle drive to the Flippin' Pizza in the same parking lot without going out on the road.

Sgt. Beronda: Correct.

Sgt. Williams: She relayed to you that she saw a couple of two or three minor vehicle violations and you mentioned maybe a taillight, do you think it was a taillight?

Sgt. Beronda: I'm almost positive one was a taillight.

Sgt. Williams: Then you mentioned vehicle registration?

Sgt. Beronda: I think, but I can't recall.

Sgt. Williams: You had mentioned that the driver was unlicensed?

Sgt. Beronda: Correct.

Sgt. Williams: Do you remember back if you can during that conversation, did she tell you during that conversation that she knew who the driver was and she knew he was unlicensed when she stopped him or he turned out to be?

Sgt. Beronda: No he turned out to be. This was how it went; oh I saw that he had these traffic violations. "Well you know those don't apply on private property."

Sgt. Williams: You were telling her?

Sgt. Beronda: Right. You realize those don't apply on private property. "Oh well he turned out to be unlicensed anyway."

Sgt. Williams: When you said that to her that they don't apply on private property, did she say anything to you or indicate that she was aware that they didn't or

was that something that she wasn't aware of that you were educating her on?

Sgt. Beronda: I would be speculating, because you would assume that somebody that had completed the academy completed field training and had been through a probation would know that. Like I said some of the newer people tend to get crossed in their mind or confused as to what's important and forgetting private property versus highway vehicle code, and all those things. I couldn't tell at the time if it was I don't know, I forgot, or I was confused, or I wasn't expressing myself well to the question. But regardless of what the reason was I just took the opportunity to teach.

Sgt. Williams: Once you told her that the vehicle code doesn't apply on the highway, she said the driver was unlicensed?

Sgt. Beronda: Yes.

Sgt. Williams: Did you say anything to her after that?

Sgt. Beronda: I said that doesn't apply either.

Sgt. Williams: Because it's private property?

Sgt. Beronda: Correct.

Sgt. Williams: Did she say the driver was on fourth waiver or the passenger?

Sgt. Beronda: The passenger, the female.

Sgt. Williams: You asked when did you know that?

Sgt. Beronda: Correct.

Sgt. Williams: Why did you ask that question?

Sgt. Beronda: Because it would be a reason to contact a person to do a compliance probation check if you knew prior to the contact that the person was on probation and had a forth waiver. It would inappropriate to make a detention on somebody not knowing that and not having a violation of law, so that's why I asked, because it's important when did you know that information.

Sgt. Williams: Then going over my notes, she told you that prior to the stop she ran the license plate?

Sgt. Beronda: Correct.

Sgt. Williams: She then ran the owner?

Sgt. Beronda: Correct.

Sgt. Williams: Then she looked up a picture of the owner?

Sgt. Beronda: Correct.

Sgt. Williams: When the occupants got into the car, she recognized the passenger as the person she saw on the picture as the owner?

Sgt. Beronda: Yes and being on probation with fourth waiver.

Sgt. Williams: Did she say where she learned that the person was on fourth waiver?

Sgt. Beronda: She referred to some of the computer databases on the car computer; I don't specifically remember which one.

Sgt. Williams: Did she tell you that she did all these computer checks from the time she saw the vehicle parked at the Circle K, between the first time she saw it parked at the Circle K that night and when she stopped to talk to the people. Was that that when the computer checks were done or did she tell you that she had prior contacts with these people or anything like that?

Sgt. Beronda: No she said the initial sighting was at Circle K, that's when the computer checks were done either before or while they're moving to Flippin' Pizza.

Sgt. Williams: Then when they get to Flippin' Pizza, you had mentioned that she said that she didn't stop them; she parked near them and contacted them?

Sgt. Beronda: Yes, she had told me that they had parked in a stall, so she told me I didn't stop them, they actually parked in the stall, I parked nearby them and walked up and made contact.

Sgt. Williams: Did she say or did you ask why she didn't stop them if she thought she had a reason to stop?

Sgt. Beronda: No it just seemed at the time that she was just saying it wasn't even really a traffic stop, it was more a pedestrian stop or as they were preparing to exit the vehicle I just walked up on them and told them I want to do the probation search.

Sgt. Williams: After she told you that she knew that they were on fourth waiver when she contacted them, were you satisfied at that point that she had been doing things properly at that point or did you have suspicions?

Sgt. Beronda: No, I was satisfied she had done it properly. I felt the reason for her stop was to do a compliance check for probation and fourth waiver search of

the female passenger, who she told me she had learned that the female was under those conditions and she knew that prior to contact.

Sgt. Williams: With my notes and you said that on the 16<sup>th</sup>, so two days later you, Sergeant Chase, Lieutenant May were discussing a burglary incident that Sergeant Chase brought up where she didn't feel right about the interaction she had with Officer Sisco and felt Officer Sisco in that case may have been making up or something didn't seem right to Sergeant Chase about their reaction. Then my notes what I thought I heard you say was that that conversation caused you to reflect back on the 14<sup>th</sup> and your conversation with Officer Sisco regarding the traffic stop in our case that we're talking about and at that point you had suspicion.

Sgt. Beronda: Yes.

Sgt. Williams: Was it after that discussion on the 16<sup>th</sup> that you went and pulled the report and viewed it?

Sgt. Beronda: Yes, not only I pulled the report to review that, but I looked at her unit CAD history for the night of the arrest and on that you can see the time where she ran the vehicle plate, so based on what she had told me I could deduce that the vehicle was at Circle K at that point. Then you can see running, it shows the time she runs the female passenger and so forth. Then it shows the time she puts out on the radio that she's conducting a traffic stop on that vehicle and location at Flippin' Pizza.

I was surprised to find that from the time the license plate was initially run to the time she puts out a traffic stop was less than two minutes and I know from experience that there are other officers that do a lot of narcotics arrests, probation and parole compliance checks and they use the same type of tools when they are in the field. I reviewed other officers when they do such thing and it generally takes some of the more astute officers in the use of computers, it generally takes them three to six minutes from the initial point where they run a plate and to the time of the traffic stop.

You can see the same things on their computer history, is the license plate is run to the name of the registered owner is run and all those type things, and the time of the stop. I found the quickest time I think was two minutes of the half dozen or so I looked at and the longest time was about six minutes. I was surprised to find that hers was under two minutes; I think it was under a minute 45, which caused me concern that perhaps although I don't have proof, but based on what Sergeant Chase said the fact that it was so quick and that the PC kind of changed, as I challenged it.

Then seen the short amount of time I feared that perhaps rather than admitting fault or admitting when you're wrong type thing that maybe she had made an error and found it easier or whatever the reasoning was to not be truthful and the report writing aspect as to the reason for the stop. The reason in her mind for the stop at the time of the incident may have been different than what she actually wrote in the report after our conversation. That kind of coincided with Sergeant Chase's conversation where Sergeant Chase challenged her on these elements of the crime and then the elements were satisfied after the challenge, but in the way that it wasn't typical how officers remember interviewing or interrogating suspects and getting the elements of the crime and knowing what crime you have type thing.

Rather than research it any further and investigate any further I hope that it's wrong, but with the Brady issues and the potential for people who have been prosecuted in the past and arrests and so forth, I thought it was important and should be investigated further, which caused me to initiate the supervisor's complaint form for Internal Affairs to investigate and get to the bottom of it.

Sgt. Williams: The complaint you submitted you wrote about the 14<sup>th</sup> conversation you had with her in the evidence room and then on the 16<sup>th</sup> you detailed the interview in the watch commander's office was with Sergeant Chase and Lieutenant May and then you say on March 20<sup>th</sup> you reviewed the case and the unit history and that's where you describe the time of about two minutes and at that point your suspicion was arouse so you wrote the complaint.

Sgt. Beronda: Correct.

Sgt. Williams: Any time after the 14<sup>th</sup> in that conversation in the evidence room, did you have any other conversations with Officer Sisco regarding this stop?

Sgt. Beronda: No.

Sgt. Williams: Do you know if anyone else did as far Sergeant Chase or Lieutenant May?

Sgt. Beronda: Not to my knowledge.

Sgt. Williams: Do remember or recall reviewing the probable cause form for this arrest?

Sgt. Beronda: No.

Sgt. Williams: Do you think it's possible you did and you don't remember it or do you think somebody else did it?

Sgt. Beronda: It's possible, I don't remember, it's possible that it was done over the telephone, but I don't recall either way. That could have been the reason why I initiated the conversation, because she had arrested somebody and failed to run the probable cause, because we had just changed department practice where an officer didn't need to run it past a supervisor prior to, we just changed, some of the officer were forgetting to do so because of the recent change.

Sgt. Williams: On this arrest from Officer Sisco you may have looked at her PC form, but you don't remember somebody else might have and you don't know or it's possible that she could have not run it by anybody and that could have been what triggered your conversation with her?

Sgt. Beronda: Correct.

Sgt. Williams: To check after the fact type of thing?

Sgt. Beronda: Right, it could have been any of those, I just don't remember.

Sgt. Williams: All right.

Sgt. Jackowski: Yes, do you have the CAD history?

Sgt. Williams: All right, it looks like from the time the plate was run at 21:01:36 and the traffic stop was at 21:03:14.

Sgt. Jackowski: Looking at this CAD it shows yes, she ran the plate, but had she run someone by person based on your knowledge does that not also appear in CAD?

Sgt. Beronda: Correct, let me see here.

Sgt. Jackowski: 21:01:36 was the vehicle plate, that's the vehicle that was stopped and 21:03:14 she's on traffic.

Sgt. Beronda: Right, and then it shows the names after traffic.

Sgt. Jackowski: After the traffic stop, right.

Sgt. Jackowski: If she had run then by person using 29 person in the vehicle that would appear somewhere on her CAD for that evening correct?

Sgt. Beronda: I don't know for a fact, I don't know if this what's showing here after the traffic stop is what was run on inquiry. It appears so because of the way it's listed with the driver's license and the last name. There's two like that, it appears there was a switch to inquiry and run this person. DL number, last name, DL number, last name.

Sgt. Jackowski: Based on my use of the MDT, whenever I ran somebody 29 person in the vehicle, it would appear my CAD history, just like the plates appear.

Sgt. Beronda: I think you're right and I didn't notice that.

Sgt. Williams: Looking at the CAD the only thing I can see as far as somebody running the people that were in the car, it occurred about three minutes after the traffic stop, that they were run.

Sgt. Beronda: Right which is even more troubling because you would think that it would be before the traffic stop.

Sgt. Jackowski: I just wanted to verify those.

Sgt. Jackowski: It doesn't appear it's in her CAD history as running it through the car. Are you aware of any other databases she might have used to verify forth waiver through her vehicle?

Sgt. Beronda: I am not and maybe I claim to be an expert on the usage of those or how they come up on the CAD history. I don't know if there's another database that you can use that would show the forth waiver info and not show up on your CAD history, it's possible. I just don't know, but assuming so and this was my point is if the plate is run at 2101 and the traffic stop is at 2103, you can't run the person until you run the plate. You have less than two minutes to run that plate and then run the registered owner without a date of birth, just the name and/or check the name in EJIMs to find a picture and verify that and then you have the name, date of birth, and then run the name and so forth. It seemed very fast to me.

Sgt. Jackowski: Do you yourself utilize EJIMs.

Sgt. Beronda: Infrequently, but yes.

Sgt. Jackowski: Do you know if forth waiver information appears on EJIMs.

Sgt. Beronda: No. You would have to go into the county mainframe.

Sgt. Jackowski: In your experience using EJIMS what type of history appears of history appears on EJIM, what type of data appears on EJIMs?

Sgt. Beronda: Prior arrest, name, date of birth, reason for arrest, a picture of the arrestee, some court date information, things like that.

Sgt. Jackowski: In your experience it wouldn't show a current forth waiver status?

Sgt. Beronda: No, sometimes if they're convicted while in jail it might show that they were sentenced to x-number of whatever with probation, but you would

still have to go into county mainframe to see if the probation is active and if there's a forth waiver attached to that probation.

Sgt. Jackowski: Let me see your narrative real quick.

Sgt. Jackowski: When you reviewed her report you did seem to parallel what she had told you or did anything seem to have changed. If covered this before, I apologize, but I just wanted to make sure.

Sgt. Beronda: No, it paralleled what she had told me that evening in the evidence packaging room.

Sgt. Jackowski: She wrote in here that EJIMs revealed that Rae Hebert was affirmative forth waiver, so in your experience would you say that's an accurate statement? If she checked EJIMs would EJIMs reveal that this person that she ran was forth waiver?

Sgt. Beronda: Not to my knowledge, but I am not an expert on EJIMs and I know on EJIMs when it shows the arrest at the bottom, it will actually have court numbers, court docket numbers. You can click on the court docket number off of EJIMs and it will take you to the county mainframe to show you the DA screens, that show the history of that case and how it is adjudicated which you can also get the probation information off of that, so it could be. I would be speculating as to what that means, but I can see where you could think I'm getting to this screen or this database through EJIMs and say I ran this person through EJIMs.

Sgt. Jackowski: Would the DA screen automatically pop up or do you have to enter in another password in order to get in to it?

Sgt. Beronda: You have to enter another password to get to it. I believe that most of these officers in the field have multiple screens up at a time and are very adaptive quickly going from screen to screen to screen and running people and so forth, some of them are surprisingly faster dispatchers. I am nowhere near that, but even the good ones I think under two minutes is surprisingly fast.

Sgt. Williams: Really quick.

Sgt. Beronda: But, I don't know the answers to the computer questions very well, because I'm not an expert.

Sgt. Jackowski: She wasn't able to access EJIMs and take her to the forth waiver screen and you feel that the report on its face is pretty accurate from what she told you? She told you in the evidence room, which she's now relaying in her report?

Sgt. Beronda: Yes.

Sgt. Williams: Just to summarize before as we stop talking, just to make sure I completely understand what you're saying is that Officer Sisco went out and made a dope arrest on March 14<sup>th</sup>, you talked to her in the evidence room after that arrest. The probable cause comes up because you as her supervisor one of the responsibilities you have is to check probable cause for arrest and during that discussion she relays to you that she stopped them for vehicle code violations, which occurred in a parking lot.

You educated her regarding the vehicle code not applying there and then she said that the driver was unlicensed and you advised her that also wouldn't apply in a parking lot. Then she told you that she stopped them to do a probation search, because she knew the passenger was on forth waiver. You asked when she knew that and she explained to you that she run the plate in the parking lot and ran the registered owner, got a picture of the registered own; saw the owner as a passenger in the car. Therefore she knew she could contact that vehicle because of the forth waiver status of the passenger?

Sgt. Beronda: Correct.

Sgt. Williams: Then based on your discussion on the 16<sup>th</sup> with Lieutenant May, Sergeant Chase, and you, in the watch commander's office and you were hearing Sergeant Chase's concerns on a different case, it and made you reflect back on this case you went and pulled Officer Sisco's unit history for the day on the 14<sup>th</sup> and her report, noted how short of a period between the time she ran the suspect's license plate and put out the traffic stop and knowing the amount of work it would take to do all the computer checks she told you she had done, that raised suspicion in your mind that she might not have been completely truthful with you about knowing they were on forth waiver before this stop was done?

Sgt. Beronda: Correct, may have not been truthful with me or truthful on the report.

Sgt. Williams: I don't want to put any words in your mouth, I'm just trying to summarize in my brain and make sure I understand what you're saying, and let me know if any of it is wrong.

Sgt. Beronda: The only thing you mentioned that wasn't necessarily so specific was the reason for talking to her in the evidence packaging room may have been what you just said the PC, talking about our responsibilities as a PC. It could have been just out of pure curiosity like what did you get or it could have been something else that I don't remember. It was just a daily routine thing. The sequence of events is accurate as you described and I didn't become suspicious until I spoke with Sergeant Chase and then I

looked at the unit history and saw the short period of time that raised my suspicions even more and I feared that there could be some inaccuracies in report writing which caused me to think that it should be investigated further.

Sgt. Williams: The other, you said that the suspicion I think earlier you had also mentioned a thing that caused you to be suspicious that she was being truthful with you was and if this isn't right let me know, but I thought you had said that because after on the 16<sup>th</sup> you heard about Chase's suspicion on a different case and then you saw the CAD and stuff, the fact that when you talked to her on the 14<sup>th</sup> that her probable cause for the stop kept evolving and changing as you discussed it with her. I thought you had mentioned it was suspicious to you.

Sgt. Beronda: Yes at the time it wasn't suspicious because I felt it was just part of being new and just explaining all the things that are going on in a police officer's mind for reasons for contact detention, search and seizure, laws of arrest and all of those things and kind of just expressing all those things as they are going in her mind, so it didn't really trigger my concern there. But they did evolve as the questions went on and I felt that they evolved.

I remember telling her I think you have it here and that's a good thing, you have it, just write it so it's not confusing with the things that aren't applicable and focus on the things that are applicable. The facts, use the facts, use the applicable facts and just try and use that as. I always tell all the employees, I think I told them on this day to, is it helps so much in report writing if you know where you're at in a stop. If you know this is consensual counter and the person walks away, I know I'm not going to do anything, if this is a detention and the person tries to walk away I know I can detain them.

If this is an arrest the person tries to walk away, I know this person is under arrest. If you know these things and you know the reason for contact, the reason for the detention, the reason for the arrest, all these things it's much easier to write. If you're thinking that way in your head then you can write the exact same chronological thing and that's how I educate many of the employees and I think I did that night too, just in a way to keep things easier in the head to express on paper. If you just do it chronologically and know what you're doing and why you're doing it throughout the entire content. You can react quicker and you can write much better reports.

Sgt. Williams: Did you ever talk to Lieutenant May, since he was there for at least a portion of your conversation. Did you guys, you and Lieutenant May

discuss any concerns other than the discussion you had on the 16<sup>th</sup> with Sergeant Chase. Did you talk Lieutenant May about your discussion with Officer Sisco regarding the probable cause?

Sgt. Beronda: No, only on the date, the 14<sup>th</sup> when he was present and the 16<sup>th</sup> when the three of us were discussing.

Sgt. Williams: Do you know if Lieutenant May ever talked to Officer Sisco regarding this incident, the arrest on the 14<sup>th</sup>.

Sgt. Beronda: I don't know.

Sgt. Williams: Can you think of anything else?

Sgt. Jackowski: No.

Sgt. Williams: Is there anything else you can think of regarding the complaint you filed that I haven't discussed with you, that you think might be important?

Sgt. Beronda: No.

Sgt. Williams: I have no further questions at this time. On behalf of the Chief of Police I'm ordering you not to disclose anything or discuss during this interview or anything regarding this investigation with anyone, however, you may speak with legal counsel should you choose to consult an attorney. Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action up to including termination. Sergeant Sgt. Beronda do you understand?

Sgt. Beronda: Yes.

Sgt. Williams: This order will remain in effect indefinitely due to the nature of the investigation, this concludes the interview, the time is now 1713 hours. I'll turn the tape off.

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Lt. May interview transcript (4-18-13)

Sgt. Williams: Okay, I am Sergeant Mickey Williams, and I am the officer in charge of this investigation for the Carlsbad Police Department. Today's date is April 18<sup>th</sup>, 2013. The current time is 18:05 hours. We are at my office at the Carlsbad Police Station. Sergeant Jackowski is also present and will be assisting with this interview. Present at this interview is Lieutenant May, who does not have a representative. The interview is being recorded.

The purpose of this interview is to discuss an allegation of misconduct by Officer [Taryn Sisco 00:00:30] on March 14, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor and authored either a false or inaccurate police report related to an incident that occurred on March 14, 2013. Today's questioning concerns administrative matters related to the official business of the Carlsbad Police Department. On behalf of the chief of police I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview and we will reschedule for a later time wherein you will be provided of all the rights afforded to an accused officer for the Police Peace Officer Bill of Rights. Lt. May, do you understand what I just read you?

Lt. May: Yes.

Sgt. Williams: Do you have any questions regarding what I just read?

Lt. May: No.

Sgt. Williams: Okay. What we want to talk about is an incident that happened on March 13, 14, 2013, involving Officer Sisco and a conversation that Officer Sisco had with Sergeant Beronda, in the evidence room that evening following the arrest that she had made. Are you Sgt. Beronda's supervisor?

Lt. May: Yes.

Sgt. Williams: So Officer Sisco works under your command in patrol.

Lt. May: Yes.

Sgt. Williams: Okay. Do you remember a conversation that you might have been there during part of it or not all of it between Sgt. Beronda and Officer Sisco discussing a traffic stop that led to an arrest in the parking lot of the Albertson's, Flippin' Pizza, Circle K parking lot in the 7600 block El Camino Real on March 14? Do you remember that?

Lt. May: Yes.

Lt. May interview transcript (4-18-13)

Sgt. Williams: What do you remember about the conversation that you heard or may have participated in, in the evidence room with Beronda and Sisco?

Lt. May: When I walked into that room, Sisco was processing some evidence, and Beronda was standing near the photocopier. He was explaining to her about how to ... let's see. It was basically how to fix the report, or how to salvage the arrest, in its basic form. He was describing to her that what the probable cause that she believed that she had for the traffic stop didn't exist. He was asking her questions to solicit more information from her, to get good probable cause for the stop so that there was reason to make the stop and reason to make the arrest, so that it wasn't unlawful detention or an unlawful arrest.

Sgt. Williams: Do you remember what Officer Sisco's initial probable cause was that she related to Sgt. Beronda?

Lt. May: I don't think I heard it that night, but the next day, Beronda and I spoke. I believe he told me at the time that she said that she pulled the driver over for not using a turn signal.

Sgt. Williams: That was the next day, but you didn't hear Officer Sisco say that to Beronda. That was what Beronda later told you she'd said.

Lt. May: Yes.

Sgt. Williams: Did you hear the questions that Sgt. Beronda was asking Officer Sisco, trying to pull the information from her so he could determine what her probable cause was for the stop?

Lt. May: I did hear some of that conversation, and some of the questions.

Sgt. Williams: What was Sgt. Beronda asking if you remember?

Lt. May: I think he asked her, when, because it came down to a fourth waiver issue being able to use that as the probable cause for the stop. He asked, "Well, when did you run the driver?" or "the occupant of the car?" I forget which, but I know that she said something about them being over at the Circle K gas station, running the plate on the car and then running, I believe the registered owner of the vehicle and determining that the RO was on fourth waiver. Rich asked her a few more questions, to try to get to solicit that information from her to try to build a credible case out of what she had.

Sgt. Williams: Is it your recollection that when Sgt. Beronda was talking to Officer Sisco that, and Sisco told Sgt. Beronda that before the traffic stop, she ran the vehicle and

then the registered owner and found out the registered owner was fourth waiver before she made the stop?

Lt. May: I believe that's what she stated that night.

Sgt. Williams: Did you ...

Lt. May: If I can clarify, either she stated that, or Beronda told me that when I walked in the room. I was only in that evidence processing room for a few minutes, because I'd already changed out. Was in my blue jeans and t-shirt and heading home.

Sgt. Williams: Did you plan to meet Sgt. Beronda in the evidence room to talk to Officer Sisco?

Lt. May: No.

Sgt. Williams: Do you know if Sgt. Beronda planned to interview Officer Sisco at that point or how they met to talk in the evidence room? Do you know how they met to talk in the evidence room?

Lt. May: I don't. He didn't tell me anything about it prior to that.

Sgt. Williams: So it was just by chance that you happened to be in the evidence room at the same time that they were discussing this issue?

Lt. May: Correct.

Sgt. Williams: What I'm hearing you say is that you remember a discussion regarding her probable cause for the stop and Sgt. Beronda asking her questions to try to elicit what the probable cause was. It started with a vehicle code violation, maybe a turn signal, and then it transitioned to a fourth waiver issue, where either you heard Officer Sisco say or later Beronda told you that Officer Sisco said that she had ran the registered owner and found out she was fourth waiver before the stop.

Lt. May: Yes.

Sgt. Williams: Was there anything else that happened during this meeting in the evidence room regarding the traffic stop or a discussion regarding the probable cause?

Lt. May: Not that I can recall.

Sgt. Williams: How long do you think you were in there during this conversation, time-wise?

Lt. May interview transcript (4-18-13)

Lt. May: Five minutes, but it could've been 10.

Sgt. Williams: Do supervisors on the shifts you're in charge of have to check the probable cause as part of their duties as supervisors of officers before they go book them into jail?

Lt. May: Yes.

Sgt. Williams: Is that new, or has that been a long-standing practice?

Lt. May: As a department, we had it as a practice, and then it faded away or went away. Recently we re-enacted it. I would say probably within the last 30 to 45 days.

Sgt. Williams: Is that just under your shifts, or is that patrol wide, to your knowledge?

Lt. May: Patrol wide.

Sgt. Williams: Did you happen to check ... Do you remember if you checked Officer Sisco's PC form for this arrest?

Lt. May: I know that I didn't.

Sgt. Williams: You know you didn't. Okay. Do you know who did?

Lt. May: I don't know if anyone did.

Sgt. Williams: After this five- to ten-minute discussion were you ... did you overhear it, or were you a party to it? Were you part of the discussion or were you just overhearing their communication? Were you there for a different reason or?

Lt. May: I wasn't there for that reason. I think I stopped in just to let Rich that I was done, that I was going home and to call me if anything occurred. I walked into the conversation while they were engaged in their dialogue. You asked me another part, if ...

Sgt. Williams: Did you participate in it, or were you just waiting for them to finish their conversation so you could talk to Rich?

Lt. May: No, I don't recall if I asked any questions or not or if I gave any opinions at the time.

Sgt. Williams: Following this meeting or this discussion that you walked upon in the evidence room, did you ever talk to Officer Sisco later regarding this traffic stop or arrest?

Lt. May interview transcript (4-18-13)

Lt. May: No I haven't.

Sgt. Williams: You said you did talk to Sgt. Beronda later, either the next day or at some later time, and that's when he told you there was a turn signal maybe?

Lt. May: Yes, but I really don't recall now if it was that next day or if it was while Sisco and he were talking that night. It could've been maybe even both.

Sgt. Williams: At any point have you since that discussion ... When you walked into that discussion of, say as you were walking into that room, were you aware of Sisco's arrest in the parking lot that we're talking about? Were you already aware of her arrest?

Lt. May: No.

Sgt. Williams: Once you heard this discussion in the evidence room, and you're leaving, did you have suspicions that she might be being dishonest or not being truthful with Officer Beronda?

Lt. May: No, not at that time. My only suspicion at that point would be that she had made an error, had misunderstood what she was doing, and made a traffic stop based upon what she thought was good probable cause that didn't really exist.

Sgt. Williams: Being the vehicle code violation?

Lt. May: Yes on private property.

Sgt. Williams: Right, okay. After this meeting in the evidence room, did you ever later develop a suspicion that she might not being truthful, regarding this incident with either Sgt. Beronda or in her police report?

Lt. May: No.

Sgt. Williams: I can't think of anything else, can you?

Sgt. Jackowski: Did you ever review Taryn's report regarding this, here is a copy of it?

Lt. May: No I've never seen the report. In patrol things have changed quite a bit. Most of the watch commanders don't review reports anymore. It's just a function of the sergeants.

Sgt. Jackowski: Do you want to read the narrative and see if kind of jives up with what you recall the conversation as being that evening?

Lt. May interview transcript (4-18-13)

Lt. May: Sure. Yeah she states here that she recognized the photo. I remember that now, that she stated that, that night. That was part of their conversation.

Sgt. Williams: Of the registered owner?

Lt. May: Right, of what's it? [REDACTED] That's a female, correct, [REDACTED]?

Sgt. Jackowski: [Affirmative].

Lt. May: Okay. I knew that there had been narcotics, that that was the purpose for the arrest, the cause of the arrest afterwards. I think she was there at the time processing that evidence, but I can't say that with 100% certainty. Most of this sounds the same, in the synopsis, based upon that except that there's nothing in here about her making the traffic stop and using the failure to use the turn signal.

Sgt. Jackowski: Okay.

Lt. May: I think my preference would have been if I had reviewed this for her to at least have mentioned that and build a little bit more of a fourth waiver issue. You want me to keep reading this thing or?

Sgt. Williams: Yeah, I think the probable cause is the main part of it. That's what we're talking about.

Lt. May: Yeah she's talking here again about the fourth waiver status. Anything else?

Sgt. Williams: Is there anything else you can think of regarding the discussion you overheard or this traffic stop or arrest that you think might be something that we should know about and haven't asked you about?

Lt. May: You may already know this or maybe you don't. There was discussion at management level about Sisco being selected for the DUI car and I had expressed a concern to Captain Gallucci that she not be selected because of her inexperience as an officer, that she needed to really learn the job. He said that he discussed the matter with the chief, and with the Captain Rowland and all three of them discussed it altogether. Then later the decision was made that she would be the selection for the DUI car. About a week after that Sisco had another minor, faux pas if you will, working. I sent an email to Capt. Gallucci and reiterated my stance that she should not be selected as the DUI car, that she wasn't ready for it, that we were setting our department up for failure, if you will, and that they should reconsider selecting her for that position. I CC'ed the chief on that so that he was aware of my concerns as well.

The chief responded back to me and said that based upon the what I wrote in the email that should she be put back into an FTO car and should she be put on a PIP? I referenced this traffic stop itself and another in my email. In my opinion at the time I didn't think that she needed to be put on the PIP, that she's making mistakes that a rookie officer's going to make. She might believe she had probable cause to stop the car and when she really didn't. While sometimes that's easy to overcome, as in this case, she worked with Rich to try to overcome that issue. I still think she needs more time on the job to figure things out, but in regard to what you're investigating, today's the first I've heard of that allegation.

Sgt. Williams: You mean the dishonesty part of it?

Lt. May: Yes.

Sgt. Williams: You're saying that the email and the information you relayed the chief and captain regarding your opinion that she wasn't ready for a DUI car was experience issue, not necessarily related to an honest issue, correct?

Lt. May: Yes.

Sgt. Williams: Anything else you can think of that you consider know about?

Lt. May: No. I think that's all.

Sgt. Williams: I have no further ... Do you have any?

Sgt. Jackowski: No.

Sgt. Williams: Okay. I have no further questions at this time. On behalf of the chief of police, I'm ordering you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone. However, you may speak with legal counsel should you chose to consult an attorney. Disclosure of anything we discussed during this interview would be considered insubordination, and by itself would subject you to disciplinary action, up to and including termination. Lt. May, do you understand?

Lt. May: Before I answer, I have a question.

Sgt. Williams: Sure.

Lt. May: Sgt. Beronda filed the supervisor's complaint summary, or is it from the defendant?

Sgt. Williams: No, it came from Sgt. Beronda.

Lt. May interview transcript (4-18-13)

Lt. May: Okay.

Sgt. Williams: Directed to Lt. Mendes, I believe.

Lt. May: Okay, that's fine. As his supervisor, I will be speaking to him about the fact that he needs to let me know when he does that just so I'm not caught off guard, as I was in this instance. We won't discuss the investigation, but I would just like to ...

Sgt. Williams: You're going to just discuss the chain of command issue, not the details of this investigation.

Lt. May: That's correct.

Sgt. Williams: Procedural issue, not regarding this incident.

Lt. May: Correct. Other than that I understand the order.

Sgt. Williams: Okay. Yeah, I don't think that's a problem. Disclosure. Okay, disclosure of anything we discussed during this interview would be considered insubordination, and by itself would subject you to disciplinary action, up to and including termination. Lt. May, do you understand?

Lt. May: Yes.

Sgt. Williams: This order will remain in effect indefinitely due to the nature of this investigation. This concludes the interview. The time is now 18:25. I will stop the recording.

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Off. Sisco interview transcript (4-23-13)

Sgt. Williams: I am Sergeant Mickey Sgt. Williams and I am the officer in charge of this investigation for the Carlsbad Police Department. We are in my office at the Carlsbad Police Station. Lt. Paul Mendes is also present and will be assisting with this interview. Present at this interview is Officer Taryn Sisco. Attorney Ken Yuwiler is also present and will be acting as your representative legal counsel. Today's date is April 23, 2013, and the current time is approximately 6:16 pm. Pursuant to Government Code 3303G, I am recording this interview. Officer Off. Sisco, you have the right to record this interview as well, and I see that Attorney Ken Yuwiler is recording it. Officer Off. Sisco, are you taking any medication which would cause you to be unable to understand and respond truthfully and fully to the questions that will be asked of you?

Off. Sisco: No.

Sgt. Williams: Have you failed to take any prescription or other medication which would assist you to understand and respond truthfully and fully to the questions that will be asked of you?

Off. Sisco: No.

Sgt. Williams: Are you suffering from any physical or mental condition that will cause you to be unable to understand and respond truthfully and fully to the questions that will be asked of you?

Off. Sisco: No.

Sgt. Williams: The purpose of this interview is to discuss IA Case # 13-IA-07. The allegations focus on but are not limited to Carlsbad Police Department policies 340.3.5 Performance, Subsection (I)(O)(P)(AA) and (AD), and 344.1.1 Report Preparation. The nature of this investigation is it is alleged that you provided false information to your supervisor and authored either a false or inaccurate police report related to an incident that occurred on March 13<sup>th</sup>, 2013, in violation of the aforementioned department policy sections.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. I am not questioning you for the purpose of instituting a criminal complaint against you. If, however, during the course of this questioning, you disclose information which indicates that you may be guilty of criminal misconduct, neither you, neither your self-incriminating statements nor the fruits of any self-incriminating statements you make to me will be used in any criminal

legal proceedings. Officer Off. Sisco, do you understand what I just read to you?

Off. Sisco: Yes.

Sgt. Williams: Do you have any questions regarding what I just read?

Off. Sisco: No.

Sgt. Williams: On behalf of the Chief of Police, I now order you to completely and truthfully answer my questions. Failure to answer my questions will be deemed insubordination and will subject you to discipline up to and including termination. Do you understand?

Off. Sisco: Yes.

Sgt. Williams: Mr. Yuwiler, you said you would like to make some comments before we begin the ...

Yuwiler: Thank you. Yes. Before we went on tape I had asked you, in fact, I think the other day, I also asked you for copies of all the investigative materials prior to the start of the interview. You did give me earlier today a copy of the arrest report or I guess the reports written by Officer Sisco, and I understand that at the present time that's the only information that you have provided us.

Sgt. Williams: Yes. I gave you the entire copy of the arrest report that was authored by Officer Sisco, and that's all you'll be getting.

Yuwiler: OK. I also just wanted to make a comment, and we had talked about this also before we went on tape and that is a concern that I have that I believe under Government Code Section 3303, Officer Sisco is entitled to copies of any prior statements that she made and I don't know whether or not any exist, but given the nature of the allegation which is at least to the extent it relates to allegedly provided false information to a supervisor, I think that there is at least the likelihood that a supervisor has written something up relating to what Officer Sisco purportedly said, and I believe that I'm entitled to that, and I recognize that, I hope I'm summarizing your position correctly, but I recognize that the other day when we spoke you mentioned that something to the effect of there wasn't an interrogation going on at that time and it was just a contact between the supervisor and Officer Sisco, and I don't know if that's, I'm not disputing what you're saying, but I don't know the characterization of it because I wasn't there and I don't know the details so I do believe that

the Government Code Section 3303 would require the department to provide us any summary of or recitation of Officer Sisco's alleged statements to the supervisor in advance of this statement, in advance, I'm sorry, of her interview. Having said that, I think you've told me you're not going to provide it. Am I correct in that?

Sgt. Williams: Yes.

Yuwiler: OK. So, I've made my objections.

Sgt. Williams: Ok Taryn, the reason why we're here, what we're here to discuss is the arrest you made on March 14<sup>th</sup>, 2013. It was in the parking lot at 7600 El Camino Real, a result of a contact that you made there where you arrested Mr. [REDACTED] and I gave Mr. Yuwiler a copy of the report before we got here were you able to read the report and do you remember the incident?

Off. Sisco: Yes.

Sgt. Williams: Tell me what happened. How did you end up making, how did this contact happen? How did you end up making this contact?

Yuwiler: Objection. Overbroad, but if you understand the question you can answer.

Sgt. Williams: What led you to making this contact?

Off. Sisco: I observed a vehicle with a broken brake light, taillight. That got my attention. I ran the license plate, and then I looked up and I recognized the name. I looked up the name in SDLaw, recognized that to be a female that I have previously seen in SDLaw, and remembered with previous knowledge and seeing previously that she was affirmative fourth waiver.

Sgt. Williams: Where was the, you said it was a truck?

Off. Sisco: It was a, I believe, it was a car.

Sgt. Williams: Volkswagen car. Where was the first time, where was the vehicle the first time you saw it on this date?

Off. Sisco: I believe it was in the Circle K parking lot.

Sgt. Williams: Was it parked or was it being driven at that time, the first time you saw it?

Off. Sisco interview transcript (4-23-13)

Off. Sisco: I believe it was parked.

Sgt. Williams: Where was it parked when you first saw it?

Off. Sisco: I believe it was at the Circle K parking lot.

Sgt. Williams: In front of the store?

Off. Sisco: I don't recall exactly where it was parked.

Sgt. Williams: But you believe that the first time you saw it on the 14<sup>th</sup>, the vehicle, the suspect vehicle was parked in front of the Circle K somewhere. Is that true?

Off. Sisco: A very clear recollection of where, when I really remember seeing it was as it was pulling out is when I saw her face in the passenger seat.

Sgt. Williams: So the first time you saw the suspect's vehicle on the 14<sup>th</sup>, was it when it was driving out or was it when it was parked?

Yuwiler: Objection. I appreciate that it's a clarifying question or it seems to be that way. Like she indicated, and I just want to make sure we're clear, she indicated when she believes she first saw it, and when she has a clear recollection of having...

Sgt. Williams: I'm asking, so I'm asking you, Taryn, where was the first place you saw the car on the 14<sup>th</sup>?

Yuwiler: Objection. Asked and answered. You can answer it again.

Off. Sisco: I believe I saw it inside of the Circle K parking lot.

Sgt. Williams: Was it being driven or was it parked the first time you saw it?

Yuwiler: Same objection.

Off. Sisco: A clear recollection is when I remember it seeing it being driven, but I believe I remember it being parked.

Sgt. Williams: Explain to me when you say a clear recollection I don't understand what that means.

Off. Sisco: This case was a while ago and so I clearly remember it, like a very clear, and when I really started to look into the car was when it was pulling out of the parking lot; didn't have my full attention while it was parked. In the parking lot it was just another car.

Off. Sisco interview transcript (4-23-13)

Sgt. Williams: So, the first time you have a clear recollection of seeing the vehicle on the 14<sup>th</sup> was when the car was being driven away from the Circle K?

Off. Sisco: Yes.

Sgt. Williams: And, who was in the car? Do you know?

Off. Sisco: Now I do know it was [REDACTED] and [REDACTED]

Sgt. Williams: Did you know them when you saw them driving out of the Circle K parking lot?

Off. Sisco: I don't recall exactly at that point when I ran, when it was that I saw her up on SDLaw. So looking at her at the exact moment that I have the clear recollection, I did not know the names of the people in the vehicle.

Sgt. Williams: So when you saw, when you have your first clear recollection of seeing the vehicle is when it was leaving the Circle K, and it was being driven and there were two people in it, but at that point you didn't know who they were.

Off. Sisco: Yes.

Sgt. Williams: Where were you when you made these observations?

Off. Sisco: In that entire parking lot. I don't know how to explain exactly where.

Sgt. Williams: Were you parked or were you driving around when you made these observations?

Off. Sisco: Pulled, at some point I had been driving around. I believe when I started to run the plate I was pulled over to the side of the road, like the side of the parking lot.

Sgt. Williams: And you said that you saw a broken taillight.

Off. Sisco: Yes.

Sgt. Williams: Explain to me how you saw the broken taillight.

Off. Sisco: They had a blinker on to turn right out of the parking lot. When I was in front of them, they turned, they went straight and I kind of glanced over while they were turning and then went straight. That's the point I saw the broken taillight. I then went straight.

Sgt. Williams: Where was the vehicle when you first saw the broken taillight?

Off. Sisco interview transcript (4-23-13)

Off. Sisco: Coming out of the parking lot.

Sgt. Williams: What parking lot?

Off. Sisco: The Circle K.

Sgt. Williams: Heading in what direction?

Off. Sisco: South.

Sgt. Williams: And you said it made a turning movement?

Off. Sisco: It turned on the blinker to go west to ECR.

Sgt. Williams: Did it actually go west?

Off. Sisco: No.

Sgt. Williams: So, the car is going south from the Circle K parking lot. It has a blinker to turn right to go west.

Off. Sisco: Yes.

Sgt. Williams: But actually which way does it go?

Off. Sisco: Continues south across the ...

Sgt. Williams: Was it driving towards you at this point or was it driving away from you?

Off. Sisco: In front of me.

Sgt. Williams: In front of you. OK. Which way ...

Off. Sisco: Like, I guess away from me like, I was facing eastbound.

Sgt. Williams: Were you east or west of the vehicle?

Yuwiler: At what point in time?

Sgt. Williams: As it was leaving the Circle K.

Off. Sisco: I was west of it.

Sgt. Williams: So you were west of it closer to El Camino Real.

Off. Sisco: Yes.

Off. Sisco interview transcript (4-23-13)

Sgt. Williams: And the vehicle is traveling southbound from the Circle K and it had its right turn indicator on indicating that it was going to turn right towards west, in a westbound direction towards El Camino Real but it actually proceeded straight which was right past the front of your car.

Off. Sisco: Yes.

Sgt. Williams: And so it passes and then it's off to your right. Is that right?

Off. Sisco: As it passed me? Yes.

Yuwiler: It's going from your left to your right.

Off. Sisco: Yes.

Sgt. Williams: Where did you notice that the taillight was out?

Off. Sisco: Once it had passed me.

Sgt. Williams: Once it had passed you. What significance did that have for you, if any, that the taillight was out?

Off. Sisco: Just if I decided to stop the vehicle it would be PC if they had left the parking lot.

Sgt. Williams: After it passed in front of your car and was travelling southbound in the parking lot, where did it go?

Off. Sisco: Continued south to the end, liked passed it, like where you have to turn and started going eastbound.

Sgt. Williams: Stepping back a little bit, you said your first recollection of the car is as it was driving out of the Circle K parking lot. That's when you first, and that's in your mind now where you first remember clearly seeing it.

Off. Sisco: Yes.

Sgt. Williams: Being driven out. Did you see where the occupants, you said there were two occupants in the car.

Off. Sisco: Yes.

Sgt. Williams: Did you see where the two occupants came from before getting in the car?

Off. Sisco: At this point I don't remember. I believe it was Circle K.

Off. Sisco interview transcript (4-23-13)

Sgt. Williams: What makes you believe it was Circle K?

Off. Sisco: Because I wrote that in my report and I remember them also telling me that they were coming from Circle K and they were leaving out of the parking lot.

Sgt. Williams: I want to not focus on what they told you. I want to focus on what you remember seeing. So, do you remember where they came from, where the two occupants of the car came from before they began driving the car?

Off. Sisco: The Circle K parking lot.

Sgt. Williams: But the first time you saw them was inside the car. Did you see them outside the car?

Off. Sisco: I believe I did. My clear recollection of completely seeing them was at that point when I said I saw them inside the car.

Sgt. Williams: So you don't have a clear recollection of seeing them outside the car?

Off. Sisco: At this point, I do not.

Sgt. Williams: So your first, so is it true, is it, am I right in then believing that you don't have a recollection of where they came from? If you didn't see them outside of the car, if you don't remember seeing them outside the car, then do you remember where they came from?

Yuwiler: She's saying as she sits here right now she doesn't remember seeing them.

Sgt. Williams: I want to ask her, I'm asking her what she remembers.

Yuwiler: Yeah, but I just want to make sure we're clear that you're talking about her recollection as she sits here right now.

Sgt. Williams: That's right.

Yuwiler: OK.

Sgt. Williams: Right.

Off. Sisco: At this moment right now, my really first recollection because that's when I really first looked at the car, was as they were pulling out of the Circle K parking lot.

Off. Sisco interview transcript (4-23-13)

Sgt. Williams: So, I understand that's what you've said. I'm asking you just to make sure then that logically I would assume that you don't remember seeing them outside the car, but I'm asking you do you remember seeing them outside the car before you saw them driving away from the Circle K?

Yuwiler: As she sits her right now?

Sgt. Williams: That's what I'm asking her.

Off. Sisco: At this point, I do not remember.

Sgt. Williams: So, the car, let's now go back to where we were, the car has passed the front of your car and is driving southbound and you said it went down a ways and made a left turn and went eastbound.

Off. Sisco: Yes.

Sgt. Williams: What did you do in your vehicle?

Off. Sisco: I went straight.

Sgt. Williams: So you went straight towards the ...

Off. Sisco: Albertsons

Sgt. Williams: Albertsons in an eastbound direction?

Off. Sisco: Uh huh. (affirmative)

Sgt. Williams: Did you keep eyes on that vehicle or did you lose sight of it? Do you remember?

Off. Sisco: Yes, I kept eyes on it. Let me back up. I had ran, I believe I had ran the license plate by then.

Sgt. Williams: OK.

Off. Sisco: And then I continued straight.

Sgt. Williams: Do you remember where you first saw the license plate?

Off. Sisco: I believe it was as it was pulling out. With my practice, I usually run it, I usually would run a lot of license plates in and out of there.

Sgt. Williams: So, what's your recollection on when you first saw that license plate on that vehicle, on the suspect vehicle?

Off. Sisco interview transcript (4-23-13)

Off. Sisco: I don't recall if it was before they went in front of me or if it was right after.

Sgt. Williams: The part where it passed from your left to your right.

Off. Sisco: Yeah, it might have, it was either, I believe it was either while right before they went in front of me when it was stopped and I looked over at them.

Sgt. Williams: OK.

Off. Sisco: Because I was going to pull in there or if it was as it passed me and I glanced over and looked at it.

Sgt. Williams: Do you remember if it had a front license plate on it?

Off. Sisco: I don't recall.

Sgt. Williams: And do you remember, you said you ran the license plate?

Off. Sisco: Yes.

Sgt. Williams: Do you remember where you were or where the other vehicle was when you ran the license plate?

Off. Sisco: Driving southbound.

Sgt. Williams: So after the vehicle passes you from left to right, you continued southbound, at that point either as it is approaching you, passing you or as they were driving away from passing you, you saw the license plate and that's when you ran the license plate?

Off. Sisco: Yes.

Sgt. Williams: Do you remember if you ran it through dispatch over the radio or if you ran it over the computer?

Off. Sisco: At that point, I'd ran it over the computer.

Sgt. Williams: And then the vehicle travels southbound and you continue eastbound.

Off. Sisco: Yes.

Sgt. Williams: And then what do you do?

Off. Sisco: I look up the registered owner in EJIMS or SDLaw or whatever where the picture is.

Off. Sisco interview transcript (4-23-13)

Sgt. Williams: Do you remember the owner's name?

Off. Sisco: [REDACTED]

Williams: So you, once you got, so is what you're saying right after you received the return on the plate and you saw the registered owner you then did an inquiry through EJIMS on the registered owner, [REDACTED]?

Off. Sisco: Through the SDLaw where it brings up the pictures. I recognized the name and I ran it through SDLaw.

Sgt. Williams: Are you talking about booking pictures or driver's license pictures?

Off. Sisco: Booking.

Sgt. Williams: OK. And while you're doing that what did the suspect vehicle do? Where did they go?

Off. Sisco: They were continuing to drive and then they turned eastbound when you couldn't go southbound any more.

Sgt. Williams: Down by the Starbucks?

Off. Sisco: Yes.

Sgt. Williams: Then what did the suspect vehicle do?

Off. Sisco: They drove southbound and stopped at that stop sign.

Sgt. Williams: In the parking lot?

Off. Sisco: Yes.

Sgt. Williams: And then what did it do?

Off. Sisco: They had their, when they stopped they had angled their car to go southbound out of the parking lot and they were kind of watching me to see, they were watching me to let them go in front of them, because I at that point, I had turned to go southbound.

Sgt. Williams: So, you're traveling southbound through the parking lot and they're stopped at the stop sign facing eastbound ahead of you.

Off. Sisco: Yes.

Sgt. Williams: And, then what happens?

Off. Sisco interview transcript (4-23-13)

Off. Sisco: And then I slowed down letting them go in front, attempting to let them go in front of me.

Sgt. Williams: And what did they do?

Off. Sisco: They pulled over to like, they then positioned their, like drove and ended up going into the Flippin' Pizza parking lot. So they had to go to their left a little bit to go into it.

Sgt. Williams: So they had to make a left turn movement to kind of like the north.

Off. Sisco: A left angle.

Sgt. Williams: And then to continue east towards the Flippin' Pizza.

Off. Sisco: Into the Flippin' Pizza parking lot.

Sgt. Williams: And where did they go once they drove towards the Flippin' Pizza?

Off. Sisco: Kind of straight in and a little bit into the right into a parking stall and parked their vehicle.

Sgt. Williams: And what did you do?

Off. Sisco: The minute I saw them pulling into, instead of pulling out of the parking lot as they started to make the movement towards Flippin' Pizza, I put over the radio that I was going to conduct a traffic stop.

Sgt. Williams: OK.

Off. Sisco: And I used the license plate that I already had on my computer.

Sgt. Williams: So you advised dispatch at that point that you were going to do a traffic stop because they've stopped their vehicle in a parking stall in front of Flippin' Pizza?

Off. Sisco: Yes.

Sgt. Williams: And then, so what did you do with your vehicle?

Off. Sisco: I drove and parked my vehicle right behind them.

Sgt. Williams: Did you park parallel to them or did you park perpendicular kind of blocking them if they were to back up?

Off. Sisco: I parked in a parking stall directly behind them.

Off. Sisco interview transcript (4-23-13)

Sgt. Williams: Did you activate any of your lights?

Off. Sisco: At this point, I don't believe so. I believe I just got out of the car.

Sgt. Williams: Were you blocking them from, was your vehicle in a place where it would have blocked them from being able to drive away if they desired to?

Off. Sisco: No, because they were facing straight out. They drove through the stall to the stall to pull straight out.

Sgt. Williams: And then you, oh, OK, so they pulled straight in through a stall and then parked in the next stall and you parked in the stall behind them?

Off. Sisco: Yes.

Sgt. Williams: So your front bumper was near their rear bumper?

Off. Sisco: A little bit back. I left space, but yes.

Sgt. Williams: And did you, do you remember if you activated any lights did you say?

Yuwiler: Objection. Asked and answered. You can answer again if you understand the question.

Off. Sisco: At this point, I don't believe I did. I don't believe I did. I may have.

Sgt. Williams: Do you have a recollection of a reason why you wouldn't have if you were conducting a traffic stop?

Off. Sisco: They were already getting out of the vehicle so I got out real quick.

Sgt. Williams: During this, during your observations from the Circle K all the way to the point where you determined you were going to conduct a traffic stop on the vehicle, did you notice any other vehicle code violations on the vehicle other than the broken taillight that you remember?

Off. Sisco: No.

Sgt. Williams: All right.

Off. Sisco: At this time, I do not.

Yuwiler: Can we have just a very quick break?

Sgt. Williams: Sure.

Off. Sisco interview transcript (4-23-13)

Yuwiler: Thank you.

Sgt. Williams: I'll stop the recording. It is approximately 6:40 pm.

Sgt. Williams: It is approximately 6:44 and we're back in the interview.

Yuwiler: Thank you.

Sgt. Williams: No problem. Okay, so getting back to where we were. I asked you if you had observed any other vehicle code violations on the suspect vehicle from the time you first saw it leaving the Circle K parking lot to the time where you decided to do your traffic stop. I don't remember what your answer was.

Yuwiler: Objection, asked and answered, but you can answer it again.

Off. Sisco: I don't recall if I did or not.

Sgt. Williams: Okay. So you remember the one, the broken tail light.

Off. Sisco: I believe so, yes.

Sgt. Williams: Okay. Do you know if it was the right or left side tail light?

Off. Sisco: I do not. And I don't recall whether or not ... if it was a brake light or if it was just a working ... like a light. Like the stop lamp light? Like on the top, when you press your brakes, if it was the center one.

Sgt. Williams: So it could either have been a brake light that wasn't functioning properly or a tail light.

Off. Sisco: The light when you press and it's that light, the center. When you press on your brakes, you know that center light?

Sgt. Williams: Right. When you ... you say you saw the vehicle when it passed by you leaving the Circle K lot, and that's when you realized the tail light was out. Is there ... were they applying their brakes at that point, as it was passing you?

Off. Sisco: Yes, they were. They were driving in a very cautious manner around me.

Sgt. Williams: Okay. So you're not sure whether it was a brake light or a tail light, and you don't remember which side.

Off. Sisco: It could have been the center one, the one that's on, like the above the trunk, the center one. Like in your rearview window. The center one.

Sgt. Williams: And what was ... so it then pulls into the Flippin' Pizza, the vehicle stops, and the two people begin to get out of the car?

Off. Sisco: Just the one.

Sgt. Williams: Who began to get out?

Off. Sisco interview transcript (4-23-13)

Off. Sisco: [REDACTED]

Sgt. Williams: Which was the driver?

Off. Sisco: The driver.

Sgt. Williams: Okay. But before they stopped was when you decided you were going to do your traffic stop and you put it out on the air, you said?

Off. Sisco: Yes.

Sgt. Williams: Okay. What was your reason for the stop?

Off. Sisco: A fourth waiver compliance check of [REDACTED].

Sgt. Williams: What led you to believe that [REDACTED] was on probation?

Off. Sisco: I have previous knowledge that she was on probation with another officer checking that name or something along with another officer having that name. And after running her in SD law and seeing when her previous ... what her previous charges were and when they were, with my training and experience, most of the time it would most likely be that they would be fourth waiver with that.

Sgt. Williams: Anything else lead you to believe that the registered owner was on probation fourth waiver status?

Off. Sisco: Other than the previous knowledge that I knew that she was? No.

Sgt. Williams: Okay. Describe this previous knowledge you have regarding the registered owner and her fourth waiver status.

Off. Sisco: I had been informed at a ... and I don't recall when ... of her name of somebody wanted to do a traffic stop and then we have been ... we had gotten a radio call and went completely away from that.

Sgt. Williams: Okay. I think I understand what you're saying is that prior to this traffic stop of yours, you had some occasion with another officer and the other officer desired to do a traffic stop on the registered owner?

Off. Sisco: Yes.

Sgt. Williams: And then was prevented from doing a traffic stop on the registered owner because you guys got a radio call?

Off. Sisco: Yes.

Sgt. Williams: Okay. Who was the other officer that had desired ...?

Off. Sisco: I don't recall at this time.

Sgt. Williams: Okay. Were you riding in a police car with the other officer or were you in your own car when this happened?

Off. Sisco: In my own car.

Sgt. Williams: All right. So describe to me how this communication happened that in a different police car on this prior date the other police officer had this desire to make a traffic stop for a fourth waiver, but for whatever the reason was, but with knowledge that this registered owner was on fourth waiver, but then was unable to because they went to a traffic stop, how did that information get relayed to you?

Off. Sisco: I don't recall exactly, but an example of how ... of what I'm talking about would be if somebody was driving through ... and I don't know how they came about this exact information, but if they were driving through Plaza North and saw a vehicle, ran the plate, did all the check-up, but they weren't in the vehicle waiting for them to come out of CVS. Informing me over the phone or over the computer, somehow ... or either I was already in the parking lot and we were parked next to each other, they pulled up next to me. So I said maybe I'm going to do a stop on this vehicle, can you assist me? That way, I'm already there and she's a female, knowing that I'm a female going to search a female.

Sgt. Williams: Okay, that example you just gave me regarding being in Plaza North, that wasn't what happened here.

Off. Sisco: I don't recall exactly where this was. I just recall that it was in some kind of context of that, that I had come across that name before. It was that kind of context.

Sgt. Williams: Was it definitely in the Plaza North lot?

Off. Sisco: I don't recall.

Sgt. Williams: So you don't know where you were when you received this information that this other officer desired to stop the registered owner but was prevented to from because of going to a radio call?

Off. Sisco: No.

Sgt. Williams: You don't remember where.

Off. Sisco: No.

Sgt. Williams: Okay. And you don't remember what officer that was.

Off. Sisco: No.

Sgt. Williams: When did you learn of this information about the fourth waiver status of the registered owner?

Off. Sisco: I don't recall when that was.

Sgt. Williams: Was it over a month ago? Before this March incident?

Off. Sisco: Yes. It was before me pulling this vehicle over, because the name stuck in my mind as an unusual name.

Sgt. Williams: Okay. What I'm asking you is your traffic stop was on March 14<sup>th</sup>. Did you learn this information about the fourth waiver status of the registered owner within a month of your traffic stop? So between say February 14<sup>th</sup> approximately and March 14<sup>th</sup>, was it within that month that you learned or when was it?

Off. Sisco: I don't recall.

Sgt. Williams: Was it potentially within a month or two months, three months, a year? What span of time could you have learned this information over?

Off. Sisco: I honestly don't ... I don't recall. I don't remember when it was.

Sgt. Williams: Could it had been when you were in a training car?

Off. Sisco: No.

Sgt. Williams: So it was definitely after you got out of training?

Off. Sisco: Yes.

Sgt. Williams: Okay. But beyond that, you have no other way of focusing in on the date that you learned the fourth waiver status, or this intention of this other officer. You have no other way of focusing in that other than you know that it was after you got off probation, and it was before the March 14<sup>th</sup> traffic stop you made.

Yuwiler: Okay, when you say date, do you mean general time frame or a specific date?

Sgt. Williams: Well, I've asked for a date and I was told she didn't remember. Now I'm trying to at least narrow the field of potential dates.

Yuwiler: So you're trying to get a general time frame?

Sgt. Williams: I'm trying to narrow the ... I'm trying to bracket the two possible ends of this window of time. Does that make sense?

Off. Sisco: Yes, but I don't recall.

Sgt. Williams: Okay. I'm just trying to make sure I understand. You know you were off probation at least, and it was before the traffic stop on March 14<sup>th</sup>.

Off. Sisco: Yes, it was before.

Sgt. Williams: Do you remember when you got off probation ... when you got out of a training car? I'm sorry, not probation.

Off. Sisco: Not probation.

Sgt. Williams: Right.

Off. Sisco: Sometime in June or July.

Sgt. Williams: So June or July of 2012?

Off. Sisco: Yes.

Sgt. Williams: To 3/14 of 13. So sometime between June and July of 2012 when you got out of a training car, and then your traffic stop on March 14<sup>th</sup> of 2013. Sometime in there is when you learned from an unknown officer that that unknown officer had the intent to stop the registered owner for a fourth waiver violation but was prevented from doing that traffic stop because they got a radio call.

Off. Sisco: For a fourth waiver compliance check, not violation.

Yuwiler: Okay. And when you say unknown, you mean that she doesn't remember.

Sgt. Williams: Yeah, we don't know who that officer is.

Yuwiler: She doesn't presently remember who asked. That's correct.

Sgt. Williams: Do you have anything, to your knowledge, that isn't in this room but you may have access to that would help you recollect who that officer was?

Off. Sisco: No.

Sgt. Williams: And I think I already asked this but I want to make sure, just to make sure. You don't know where you were when you learned this information from this other officer?

Off. Sisco: No. At work at some place.

Sgt. Williams: Okay. Do you know what kind of radio call ... were you both sent to the same radio call? The radio call that prevented this officer making this traffic stop? Were you both sent to this radio call?

Off. Sisco: I don't remember.

Sgt. Williams: Okay. Do you remember what kind of radio call this other officer was sent to that prevented them from making this traffic stop?

Off. Sisco: No, I don't remember.

Sgt. Williams: Do you remember if you were working during the daytime or the nighttime when this officer desired to make this traffic stop?

Off. Sisco: I don't remember.

Sgt. Williams: Do you know if you were working on the same shift of the officer that desired to make this traffic stop but was prevented to from going because of this radio call? Were you assigned to the same shift as this officer? Do you recall? Or was the officer assigned to a different shift?

Off. Sisco: I don't remember even who the officer was. I don't remember.

Sgt. Williams: You have no recollection at all.

Yuwiler: Objection. Asked and answered.

Sgt. Williams: Regarding how you learned of this person's fourth waiver status.

Off. Sisco: They told me.

Sgt. Williams: Somebody told you.

Off. Sisco: Somebody told me.

Sgt. Williams: Okay.

Off. Sisco: Another officer. We do this all the time, so it's just another ... we've done it so many times, I don't know which officer told me. I've done with all the officers, I don't remember.

Sgt. Williams: Okay. Do you remember ever seeing Miss ... the registered owner, [REDACTED] Do you ever remember seeing her before March 14<sup>th</sup>?

Off. Sisco: In person?

Sgt. Williams: Yes.

Off. Sisco: No.

Sgt. Williams: Okay. Have you ever dealt with her prior to March 14<sup>th</sup> that you know of?

Off. Sisco: Not that I know of.

Sgt. Williams: All right. Had you ever personally conducted any type of computer check that specifically showed that Ms. [REDACTED] was on fourth waiver probation?

Off. Sisco: Not that I know of.

Yuwiler: You're talking about prior to this date.

Sgt. Williams: I'm talking yes, prior to the traffic stop.

Yuwiler: Thank you.

Sgt. Williams: My question is prior to the traffic stop, did you personally conduct any computer inquiry that revealed to you that the registered owner, I think it's [REDACTED], was on fourth waiver probation?

Off. Sisco: Prior to this date?

Sgt. Williams: Prior to your traffic stop. At any time prior to your traffic stop, did you personally conduct any computer inquiry that revealed to you that the registered owner, Ms. [REDACTED], was on fourth waiver probation?

Off. Sisco: I pulled up SD law and pulled up her ... all of her prior charges and her last arrest. I don't believe that I pulled up the ... I don't know exactly which one is called which, but the one that says fourth waiver on it, I don't believe I pulled that up, no.

Yuwiler: He's talking about prior to this date. Prior to the date of the traffic stop.

Sgt. Williams: Any time prior to the traffic stop.

Off. Sisco: I don't believe that on my computer I have pulled it up, no.

Sgt. Williams: Okay. Do you know of anyone that did?

Off. Sisco: Have I personally seen somebody pull it up? No. I was informed by looking at her picture and seeing the thing she was fourth waiver.

Sgt. Williams: Okay. You said you don't remember seeing anyone else pull her fourth waiver status up, information in front of you, right?

Off. Sisco: It's not my practice to usually say let me see the EJIMS that shows fourth waiver. I usually will believe what the other officer is telling me, and usually we'll just look at the picture so we know who is who we're looking for, rather than ... I usually will trust in the officer that what they're telling me is true, that they looked it up, that they're fourth waiver.

Sgt. Williams: Just to keep ... because I want to make sure I understand what you're saying. Let's just focus on the issue around this person and this incident, and not about other things, because I don't want what you're saying to me, for me to apply it to this situation when you mean in general terms, okay? So let's just focus on this incident.

Yuwiler: Well, but she ... in fairness, she may do something in a particular practice. If she does it in the practice, then it's likely she did it in this case, even if she may not specifically remember if she did it in this case.

Sgt. Williams: I'm looking for what she remembers at this point.

Yuwiler: Well, I appreciate that. But I'm not sure that it's fair to tell her I don't want to hear some other piece of information that might be relevant.

Sgt. Williams: I didn't say that. I said I want to focus in on her recollection regarding this incident and this person. That's what I want to focus in on.

Yuwiler: But you asked her ... okay. When you asked her a question about this person and a different incident, so again, I think we'll just take it question by question, but I think she should answer the question however she feels it's appropriate to answer the question.

Sgt. Williams: So make sure I understand what you're saying. You don't remember any other officer running up the registered owner, Ms. [REDACTED] and showing you that they're on fourth waiver. That she was on fourth waiver.

Yuwiler: You mean just the portion that says fourth waiver? As opposed to something else.

Sgt. Williams: Yes. I'm asking about fourth waiver.

Off. Sisco: I have never seen on the computer the actual part that says fourth waiver status, no.

Sgt. Williams: Okay. Do you know of any other officer that ran up Ms. [REDACTED] at all?

Off. Sisco: I'm confused at whether or not we're talking about this or we're talking about in the past.

Sgt. Williams: I'm talking about prior to the traffic stop. Do you remember anyone prior to the traffic stop running up Ms. [REDACTED] at all?

Off. Sisco: Somebody had pulled up [REDACTED]'s picture and showed me the picture before and told me that she was fourth waiver. How they came about that information, I did not ask.

Sgt. Williams: Okay. At this unknown time with this officer, we don't remember who it was, that officer is the one that showed you the picture of Ms. [REDACTED] and said she's on fourth waiver status?

Off. Sisco: Saying that they were going to conduct a fourth waiver traffic stop. Or a fourth waiver search. In my opinion, that would mean that they looked her up they knew she was a fourth waiver, and that's what I'm doing. I'm there to assist them. That's how it came up. That's how I became aware she was on fourth waiver.

Sgt. Williams: Did the officer that did that show you a picture of Ms. [REDACTED]?

Off. Sisco: I believe so. I'm not positive, but I believe that they have the picture up, yes.

Sgt. Williams: On a computer?

Off. Sisco: Yes.

Sgt. Williams: So your recollection is that you saw her picture on the computer, not on a printout?

Off. Sisco: My recollection is more so that I remember her name.

Sgt. Williams: Versus what?

Off. Sisco: Versus pictures. Well, even when I went to go run her right prior to the traffic stop, the name clicked to me.

Sgt. Williams: Okay. Do you remember seeing her picture at any time prior to the traffic stop?

Off. Sisco: I don't believe it. I don't remember if I did or not.

Sgt. Williams: Okay. Okay. So let's go back to your reason for conducting the traffic stop on this vehicle when you did it. You said the reason why you did the traffic stop was to do a fourth waiver compliance check on the owner.

Off. Sisco: Yes.

Sgt. Williams: Okay. And now explain to me again what information you had that made you believe that the owner was on probation fourth waiver status.

Yuwiler: Objection. Asked and answered.

Off. Sisco: Being previously told that she was on fourth waiver and with my training of all the other narcotic arrests that I have done and all ... and constantly running everybody on SD law, it's my practice and my training to usually realize that, in an example, if they were to have an arrest in 2013 of possession of meth, possession of heroin, possession of paraphernalia, most of the time there's a high likelihood that they're going to be fourth waiver. And with my prior knowledge and running and seeing a previous arrest for that, I believed she was still on fourth waiver.

Sgt. Williams: Okay. So anything else that led you to believe she was on fourth waiver?

Off. Sisco: I do not recall if I did this or not. I've done it previously with other stops. I don't recall if I messaged the name to dispatch and asked them to run it for me real quick. I've done it on previous ones, so at this moment I don't know if I did that, but that is something that I have done previously with many other people that I've done, so I don't know if I happened to do that with her or not and gotten a return saying she was fourth waiver.

Sgt. Williams: Okay. So you don't know if dispatch ran her before your stop?

Off. Sisco: Yes. I don't know if over the instant messaging if I asked them to do that or not. There are times that I do ask them to do that.

Sgt. Williams: All right. When you made this traffic stop, did you know that the ... did you believe that the registered owner was in the vehicle?

Off. Sisco: Yes.

Sgt. Williams: What made you believe that the registered owner was in the vehicle?

Off. Sisco: The picture that I was looking at and seeing her in the passenger seat.

Sgt. Williams: What picture are you referring to?

Off. Sisco: The picture in EJIMS, SD law that ... the booking picture.

Sgt. Williams: All right. So when a car passed you, you ran the plate, still while in the parking lot before the stop you brought up the booking picture on EJIMS and you saw the picture of the registered owner, and you said that's the person that was in the passenger seat?

Off. Sisco: Yes.

Sgt. Williams: Okay. And that was before the stop.

Off. Sisco: Yes.

Sgt. Williams: All right. Okay. So just to summarize and make sure I didn't miss any of it. The information that you had that led you to believe that the registered owner was on fourth waiver was that you were told by that officer that the registered owner was on fourth waiver, and you saw in EJIMS that the registered owner had prior drug arrests ... arrest or arrests, and your experience is that drug arrests will lead to fourth waiver status?

Off. Sisco: Certain ones, yes.

Sgt. Williams: Okay. And then you don't remember if dispatch ran the registered owner before the stop or not?

Off. Sisco: Yeah. Not over the air, over a message.

Sgt. Williams: Okay. Okay. Going to your report, do you have a copy of it there? Under the synopsis part, you say on 3/14/2013, at approximately 21:03 hours I observed a male, later identified as [REDACTED], get in the driver's seat of the above vehicle. Being the suspect vehicle. Do you remember that?

Off. Sisco: At this time, I don't recall if I ... I don't recall seeing him get in the driver's seat of the vehicle.

Sgt. Williams: Okay. I then observed a female, later identified as [REDACTED] get in the front passenger seat of the vehicle. Do you remember seeing that?

Off. Sisco: At this point, I don't recall if I remember seeing her actually get in the front seat of the vehicle.

Sgt. Williams: Okay. The California license plate, and you give it, was registered to [REDACTED]. Based on what you told me, you learned that after the car passed you and was continuing southbound through the lot.

Off. Sisco: I believe so.

Sgt. Williams: Okay. EJIMS revealed that [REDACTED] was affirmative fourth waiver. Do you remember that EJIMS revealed that to you?

Off. Sisco: This is my mistake and I should have put in here that I had previously been informed that EJIMS had revealed that. This was my mistake by not using the correct language and putting in the correct words.

Sgt. Williams: So is it ... when you say EJIMS revealed that [REDACTED] was affirmative fourth waiver, is that accurate?

Off. Sisco: That I ... it should have been that I was informed previously that EJIMS had revealed that. I have not personally seen that, no, and I did not run the actual part that said EJIMS said that she was on fourth waiver.

Sgt. Williams: You didn't do that?

Off. Sisco: My mistake was this read correctly in my mind because I understood what I was thinking, but this doesn't read correctly to what somebody else is going to understand.

Sgt. Williams: Okay. Where in EJIMS would it say that somebody is on affirmative fourth waiver?

Off. Sisco: I believe ... that's on ... I'm not sure if it's called ... what it's called when you click on it and then you run their names and then it comes up with this sheet. You have to like run their names and then you find their social security number and then it would say next to it if it's fourth waiver. You can do it all under when you go under SD law and you just click on a different part of it. Instead of clicking on where you look at the booking picture, you can click somewhere else and do that.

Sgt. Williams: Right. Where the booking picture is EJIMS. That is EJIMS. Are you saying it in where the booking picture is there's information on fourth waiver status?

Off. Sisco: No. So the main screen where you pull up ... where you can do inquiries of warrants and stuff. You know how there's that whole screen of where you can click on other things? Like you can click on if you want to look at booking pictures, you can click on if you want to do a search of warrants. Do you know what I'm talking about?

Sgt. Williams: Yeah, like the SD law face page?

Off. Sisco: Yeah, the SD ... that's ... yeah, and so then there's one where you can click on I thought it was called EJIMS. Maybe it's not called EJIMS. That you click on and you run the name and it would show you all these names, and then you would verify the social. I would normally verify the social from this booking picture to the social that's on that list, and then it will show whether or not they're fourth waiver.

Sgt. Williams: Okay. How frequently not dealing with this registered owner, but how frequently prior to this traffic stop, on average do you think that you would actually do those inquiries that would reveal people being on fourth waiver status or not?

Off. Sisco: Prior to me getting locked out of my account because my password expired or I did the wrong password too many times, I was doing it frequently.

Sgt. Williams: And when do you estimate or do you remember the date when you got locked out of this system that would have allowed you to have access to fourth waiver status?

Off. Sisco: It was a good ... a little while ago, I don't remember.

Sgt. Williams: Could it have been as far back as September?

Off. Sisco: It's possible. I don't recall. I just know I haven't used that actual part in a long ... in awhile.

Sgt. Williams: So you've been locked out of the fourth waiver status ... you've been locked out of the computer database that would allow you to have access to fourth waiver status returns for quite awhile?

Off. Sisco: Yes.

Sgt. Williams: Okay. Have you been ... have you at any time logged ... since you've been locked out of that account, have you logged on and accessed that information using anyone else's log-on information?

Yuwiler: Where she's doing the login or where she's asking someone else to do it?

Sgt. Williams: No, I'm asking where you ...

Off. Sisco: No.

Sgt. Williams: Okay. Going back to your report on line 10 of page 5, you say that EJIMS revealed [REDACTED] was affirmative fourth waiver. I located a picture of [REDACTED] on EJIMS. I recognized the passenger of the vehicle, the registered owner of the vehicle, to be [REDACTED] due to the picture I located on EJIMS. You observed Kulic drive from the Circle K, across the parking lot to Flippin' Pizza. [REDACTED] parked the vehicle. I then conducted a traffic stop to conduct a fourth waiver compliance check for [REDACTED]. I approached the vehicle, and that's when you made contact with them.

Off. Sisco: Yes.

Sgt. Williams: Okay. Going down to the investigation part, line 35, you say I told [REDACTED] and [REDACTED] I stopped the vehicle to do a fourth waiver compliance check for [REDACTED]. [REDACTED] stated she was on probation and had an affirmative fourth waiver status. Did she tell you she was on fourth waiver before you told her that you were checking her fourth waiver compliance check? Or was it vice versa?

Off. Sisco: I walked up to the vehicle. After speaking with him, I looked in and I said ... backing up, I had asked him if he was on probation. He said no. I looked at him

and said [REDACTED], you're on probation, right? She goes yeah. I said are you fourth waiver? She goes yeah. So my practice is not to walk up and act like ... I don't want them to know that I already know. I try to find whether or not someone is going to tell me the truth or lie to me, so I did not walk up and say you're on fourth waiver. I walked up and asked her if she was.

Sgt. Williams: Okay. You say that you walked up to the vehicle, to the driver's side of the vehicle, and I told [REDACTED] and [REDACTED] I stopped the vehicle to do a fourth waiver compliance check for [REDACTED].

Off. Sisco: This is incorrect. Out of sequence. That should be later on. I did not initially even tell them why I was talking to them. When I approached the vehicle, he was getting out and I said hey, you mind just sitting there real quick while I can talk to you real quick? So I didn't even necessarily walk up and say I'm stopping your vehicle. It was just more of making conversation with them, and after he asked me why ... after I had already asked these questions, he asked why I was speaking with them, and I told them that I was doing a fourth waiver compliance check.

Sgt. Williams: Okay.

Off. Sisco: So I put this out of ... this is not in the correct order, but it happened.

Sgt. Williams: Okay, so later on in the conversation you told them that you were doing a fourth waiver compliance check. After [REDACTED] stated she was on probation.

Off. Sisco: Yes.

Sgt. Williams: And then do you remember telling either [REDACTED] or [REDACTED] that you stopped them for a vehicle code violation?

Off. Sisco: I did not. I did not stop them for a vehicle code violation, so I did not tell them that I was stopping them for a vehicle code violation.

Sgt. Williams: Okay. Why didn't you stop them for a vehicle code violation if you saw that the brake light or tail light was out?

Off. Sisco: Because I was in a private parking lot that was going to be used as the PC as they were going to be exiting, on top of the fourth waiver compliance check. That was going to be something more for me to use as they were out of the parking lot. They did not pull out of the parking lot.

Sgt. Williams: Okay. Do you remember after this arrest you were in the ... on the same day, March 14<sup>th</sup>, you were in the evidence processing area and Sergeant Beronda discussed with you this stop?

Off. Sisco: In the evidence room?

Sgt. Williams: Evidence packaging room.

Off. Sisco: After I had already booked him. Possibly I might recall that after I had already booked him into ... I believe I spoke with him after ... yeah, after I had already booked him into jail. I believe ... I very vaguely remember speaking ... I remember speaking with him, I don't recall where it was at.

Sgt. Williams: Okay. Okay. Do you remember what you told him was your reason for stopping the vehicle?

Off. Sisco: I remember speaking with him in the report writing room and talking to him about it that way. And I remember him bringing up to me later about it, but I don't recall what was said when.

Sgt. Williams: Do you remember telling Officer ... or Sergeant Beronda when he asked you about the stop he asked you about the stop and you said that you had seen the vehicle driving through the parking lot and you observed a couple of equipment violations on the vehicle so you stopped it?

Off. Sisco: I remember speaking with him at one point, and I believe it was when I was doing the clear to book before, about my PC for the stop.

Sgt. Williams: Okay. When you were discussing your PC for the stop to Sergeant Beronda, do you remember telling him that you stopped the vehicle because of vehicle code violations?

Off. Sisco: Violations? No. I remember saying that there was ... that I remember mentioning the brake, but that was not what I told him my full PC for the stop was. No.

Sgt. Williams: Okay. When Sergeant Beronda states that when you first began speaking about your reason for the stop, you told him that you stopped the vehicle because of equipment violations that you had observed on the vehicle. You don't remember telling Sergeant Beronda that, is what I'm hearing you say?

Yuwiler: Objection. Assumes facts, also incomplete hypothetical. But I don't have a problem with the question if you're asking her does she recall saying ... making that statement.

Sgt. Williams: That's what I'm asking.

Yuwiler: I'm just objecting to the preface to it.

Off. Sisco: Are you asking if I said violations, or are you asking if I actually specified violations?

Sgt. Williams: I'm asking you if ... did you tell Sergeant Beronda that you stopped this vehicle because you observed equipment violations on the vehicle?

Off. Sisco: That's not all of it. That's not all that I said, no.

Sgt. Williams: Do you remember telling him that, though?

Off. Sisco: I remember ... like I said in my report, I remember saying that I had seen the brake light. I was cut off, and I was told that you can't stop, and I said I know. I was doing a fourth waiver compliance check, and you said okay, I'm just ... I do also remember saying that there was no license. If we're talking about that as also being a vehicle code violation. I mentioned that there was no brake light, and that after speaking with him, he had informed me that he didn't have a license. That was me starting to go through my whole process. He stopped me and said well, you can't do ... stop for that. This isn't word for word. This is what I recall. I informed him that there was a fourth waiver compliance check is what I was doing. That was going to be my ... more of my PC, had they pulled out of the parking lot.

Sgt. Williams: So what I'm hearing you say is that you told Sergeant Beronda that you stopped the vehicle for the tail light, and then he interrupted you and said that you can't do that in a private parking lot. Is that right?

Off. Sisco: I didn't tell him that I stopped the vehicle for that reason. I was telling him a summary of my stop. To do the clear to book.

Sgt. Williams: Okay. What's your reason for telling him about the vehicle code violation on the vehicle?

Off. Sisco: We have to now explain a summary of our stop to be able to be clear to book them into VDF now. Prior to taking them. That's the new instructions. So as I usually would do with all my other ones, I give them a summary from ... a real quick synopsis of beginning to end of why I conducted a stop and what all went down, and that was my summary of the beginning to the end.

Sgt. Williams: Okay. So ... do you have an understanding of why you have to explain that to a supervisor?

Off. Sisco: So that we're not doing false arrests.

Sgt. Williams: Okay. So is it kind of like a ... do you understand it as kind of like a check? Like a supervising checking to make sure that you have probable cause for what you're doing?

Off. Sisco: Yes.

Sgt. Williams: Okay. So when you're explaining this to Sergeant Beronda for that reason, what would be your reason for telling him about the equipment violations on that vehicle?

Yuwiler: Objection. Asked and answered. She already told you what her rationale was.

Sgt. Williams: I don't understand it.

Yuwiler: Well, you don't have to understand it.

Sgt. Williams: Well, I'm trying to understand it.

Yuwiler: Okay, I appreciate that. But she did tell you. She did answer the question whether you understand it or not.

Sgt. Williams: She's been asked the question, she needs to answer the question. What was your reasoning for telling Sergeant Beronda about the traffic ... the vehicle violations?

Off. Sisco: I was giving him a synopsis from the beginning till the end of my stop.

Sgt. Williams: Okay. When you told him that, did you believe that that gave you probable cause for this stop?

Yuwiler: What's the that in that sentence?

Sgt. Williams: Do you believe that the fact that you observed the vehicle code violations provided you probable cause for the stop?

Off. Sisco: Outside of the parking lot? Yes. Not inside, no.

Sgt. Williams: Okay. Sergeant Beronda states that he educated you regarding when vehicle code violations would apply in a parking lot versus on a street. Do you remember him doing that during this conversation?

Yuwiler: Objection. Calls for speculation and an incomplete hypothetical as to what Sergeant Beronda did or did not say. But if you're asking the question whether or not she recalls Sergeant Beronda using the term educating, I'm not sure what that means in this context. But if you want to ask what the nature of the conversation was, she's already explained it, but she can probably explain it again.

Off. Sisco: I recall, and I believe this is kind of a real quick summary of what was said, there was a very quick conversation of hey, you do realize that you can't arrest him for

... or you don't have probable cause for somebody for a brake light or not having a brake light ... or, this is what was said, for a brake light in the parking lot, and I said I do know that. I did ask him if ... and this had nothing to do with PC from my stop because I did not know this until after I had spoken with him, I did ask him to be educated on whether or not you can drive through a parking lot without a license. He did educate me on that. With the brake light, I was not educated. That was a hey, do you know, and I said yes, I did the stop for a fourth waiver.

Sgt. Williams: Okay. So my question is before this traffic stop and your discussion with Sergeant Beronda, did you know that you could not enforce a broken tail light in a parking lot, or did you learn that during your discussion with Sergeant Beronda?

Off. Sisco: I already knew the parking light. I already knew that.

Sgt. Williams: Okay. Then during your discussion with Sergeant Beronda, after the discussion about the vehicle code violation and whether it applies in a parking lot, Sergeant Beronda says that you had told him that the passenger was on fourth waiver and that he asked you how you knew that information. Officer Sisco told me that she ran the vehicle plate, ran the registered owner on EJIMS, and confirmed that the passenger was the RO and was on probation with a fourth waiver. Do you remember telling Sergeant Beronda that?

Yuwiler: Objection. Incomplete hypothetical and calls for speculation, but I don't have a problem with it. It's also compound, but I don't have a problem with if she recalls telling Sergeant Beronda something to that effect.

Off. Sisco: I remember saying I ran the vehicle, ran the plate, and that she was on fourth waiver. I don't remember saying it exactly like that. I don't remember saying it exactly like that, but I do remember giving the real quick ... the conversation that me and him had was a very quick conversation, and it was ... I remember saying oh no, I know, because I ran the plate and ran her in EJIMS and knew that she was on fourth waiver. I did not say I then went into this and checked this and then I checked this. I did not do that.

Sgt. Williams: Okay. So when Sergeant Beronda says that you did say that you ran the plate and you ran the registered owner on EJIMS to confirm that the passenger was the RO, and that she was on probation with a fourth waiver, is Sergeant Beronda not being accurate?

Yuwiler: First of all, it calls for speculation and assumes facts. It's also compound and it also misstates the prior responses.

Sgt. Williams: Okay, I'm trying to understand. Is Sergeant Beronda when he relays that information to me, is he being accurate about your conversation or are parts of that inaccurate?

Yuwiler: Maybe you want to take it in pieces withstanding objections.

Off. Sisco: I don't know what ... I don't know what he took from the conversation and what I said. I know that there are many times somebody says something to me and what they're saying to me and what they're actually meaning can mean two different things. I don't know how he applied what I was saying.

Sgt. Williams: Okay. Did you tell Sergeant Beronda that you ran the vehicle plate?

Off. Sisco: Yes.

Sgt. Williams: Did you tell Sergeant Beronda that you ran the registered owner in EJIMS?

Off. Sisco: Yes, to get the booking photo.

Sgt. Williams: You did tell him that is what you're saying?

Off. Sisco: Yes.

Sgt. Williams: Did you tell Sergeant Beronda that you confirmed that the passenger in the vehicle was the registered owner?

Off. Sisco: Yes.

Sgt. Williams: Did you tell Sergeant Beronda that you confirmed that the registered owner was on fourth waiver status?

Off. Sisco: I did not say that I confirmed it. I said I knew she was on fourth waiver.

Sgt. Williams: Okay.

Off. Sisco: I don't believe I said that. I confirmed it.

Yuwiler: I guess I should also be concerned that it sounds to me like the conversation that Sergeant Beronda is having or that they're having may be a violation of Government Code Section 3303.

Sgt. Williams: Okay. So when you did this compliance check on the registered owner for fourth waiver status, did you know that she was on fourth waiver?

Off. Sisco: I believed she was, yes.

Sgt. Williams: For the reasons we already stated.

Off. Sisco: Yes.

Sgt. Williams: Do you think, after reading your report, does your report accurately reflect what happened out there that day?

Off. Sisco: There are things that I could change about my report and there are things that I would put in a different order. And there are things, words I might change to accurately portray it to somebody else. In my mind, I understand what's going on. But it could be portrayed incorrectly to somebody else if they were not there.

Sgt. Williams: Okay. Something that's troubling to me, and it seems to be pretty important, is that you remember on one occasion being told by an officer that a person was on fourth waiver status, and that person you never had contact with before, but you remember that person's name and recognize it right away when you ran the vehicle plate in the parking lot that day. But you don't remember the officer's name who you work with on, assumingly, on a somewhat deep, regular basis. Is there a reason that you can think of or that you may believe that you can't remember the officer's name but you can remember the person's name that you were told one time?

Yuwiler: Objection. Argumentative as phrased. And it is argumentative the way it's phrased. It's also compound. But if the substance of your question is why does she believe she remembers the subject's name, then you can certainly ask her that question.

Sgt. Williams: I need you to answer the question I asked you. Do you know of a reason why you don't remember the officer's name but you remember the person's name? Is there anything about it that makes it one thing more memorable than the other?

Off. Sisco: I remember [REDACTED] for the exact fact, and this is just how I remember things, when I was told that name, I was thinking it was going to be a male. I don't often hear a name of [REDACTED] and the unique name of [REDACTED] and I don't often hear a female named [REDACTED] so that stuck into my mind of oh, this is [REDACTED], that's a female? I was ... initially had thought that it was going to be a male, so that's why that stuck in my mind.

As to not remembering the officer's name, I probably run and look at people on SD law every ... not every. A large amount of cars that I run, and to my practice I usually will run a plate, run them in SD law. Very often that's what I would do before I would even stop a car. So I also do that when we're speaking with other officers, when I run plates. A lot of us do that. And so which officer it was, at what time and all that, I don't recall because this is ... this scenario of looking at somebody going to do a fourth waiver compliance check, going to other calls,

getting called away, that's happened to me numerous times. So I don't recall who it was with, I've had numerous partners since I've been out on my own. I've been on a couple different shifts. I believe that I was on D-2 or ... I think I was on D-2, E-1 and E-2 since I've been on my own. So remembering who I worked with and all that, that's three out of the four shifts. I don't recall who it was with.

Sgt. Williams: Okay. When we talked about the reasons and the things that ... information that led you to believe that [REDACTED] was on fourth waiver status before you made the stop, one was the information you received from this officer, and the other was that when you looked in EJIMS and you saw a drug arrest for Ms. [REDACTED], it led you to believe that she was likely on fourth waiver, right?

Off. Sisco: Yes.

Sgt. Williams: All right. I'm trying to figure out what your understanding is of the system after the arrest. The criminal justice system. Are you aware of anything that might prevent somebody who is arrested for a drug offense from ultimately ending up on probation?

Off. Sisco: Not being convicted of it.

Sgt. Williams: Is that it?

Off. Sisco: That I can recall right now, yes.

Sgt. Williams: Okay. Are you aware that sometimes when people get arrested the cases aren't filed?

Off. Sisco: Yes, that's what I mean by not being convicted of it.

Sgt. Williams: Then when people are convicted of drug arrests, are they always placed on fourth waiver status?

Yuwiler: Objection. Misstates her prior responses, but I think you're asking it just as an initial question and foundation. If you understand the question, you can answer.

Off. Sisco: I don't know.

Sgt. Williams: Okay. So you don't know if people that are convicted of the drug offenses are always placed on fourth waiver.

Off. Sisco: Always, I don't know.

Sgt. Williams: Okay. And you're aware that people that are arrested for drug offenses aren't always convicted.

Off. Sisco: Yes.

Sgt. Williams: So what made you believe that because she had been arrested for a drug offense, she would be on fourth waiver?

Off. Sisco: I said that was also with my previous knowledge of already knowing. Of an officer telling me that she was fourth waiver.

Sgt. Williams: I understand the one reason you said with the information you received from the officer, but you said that this also caused you to believe that. I'm trying to understand why that would cause ... why knowledge of an arrest would cause you to believe that she was on searchable probation.

Off. Sisco: It's the totality of it. Not one by itself or one by itself. It was the totality of it. Also with my DRE class, that's mentioned. Also with my internship that I did with the DEA before coming here, that was also something that was mentioned to me.

Sgt. Williams: Okay. Do you remember either in the academy or in a training car or even after being in the training car, receiving any training on fourth waiver probation status, fourth waiver searches?

Off. Sisco: Did we just routinely do them in training cars? Yes.

Sgt. Williams: Okay. When you were in a training car, did you receive training on what fourth waiver meant?

Off. Sisco: It means that they had given up their fourth amendment right.

Sgt. Williams: Okay. Do you remember any training officer or in the academy them discussing how to conduct a probationary search?

Off. Sisco: I don't necessarily recall that, no.

Sgt. Williams: Okay. Do you remember anyone in your training ever tell you that you should confirm somebody's probationary status before you search them pursuant to being on probation?

Off. Sisco: Prior to searching, yes.

Sgt. Williams: Okay. Why would you ... what's your understanding on why you would confirm somebody who is on probation before searching them?

Off. Sisco: I don't understand your question.

Sgt. Williams: You said that you understand that before searching somebody that's on probation on fourth waiver, that you should confirm that before you search them.

Off. Sisco: If they've not given you consent, yes.

Sgt. Williams: Okay. So what's your reason for believing that that's important? What makes you believe that that needs to be done?

Off. Sisco: So we're not violating their rights.

Sgt. Williams: Is your training and your belief that you should also confirm somebody's probationary status before you detain them or conduct a traffic stop?

Off. Sisco: Confirm it through dispatch? I believe that with the knowledge of knowing that she was on it, that I could conduct a traffic stop.

Sgt. Williams: Okay. So it's your belief that what you did in this case, you sufficiently determined that she was on probation, fourth waiver probationary status, prior to the traffic stop.

Off. Sisco: I believe there's probably more I could have done, and I'm not saying that this is perfect, by no means at all. But what I'm saying is at the time I thought that I had enough knowledge to do that, yes.

Sgt. Williams: Okay. You had enough knowledge to do what?

Off. Sisco: I had ... I was told that she was fourth waiver, I told that she was going to ... when I was told that she was on fourth waiver, they said that she was on ... I was told that she was on it for a long time, so I believed she was going to be on it for awhile. Like it wasn't like ... I don't remember exactly what I was told, which is an issue. But I remember being told that yes, she's fourth waiver, she's going to be on it for awhile, you should watch out for her. I believe I was told that because it was probably when I was working north because I haven't worked South by myself except for now. She's from Oceanside, and all that I think took into place the circumstances behind it. So I believed that she ... because I had been told, although I should have verified it myself, I was told that she was fourth waiver, I believed that officer, and so I believed at this point that she was still fourth waiver.

Sgt. Williams: Okay. In your report, I didn't see anywhere in your report that you put any information in regarding your prior information that you had received from this officer. Did you?

Off. Sisco: No.

Sgt. Williams: It's not in the copy that I have or that I gave you guys a copy of what I have. Is it in there?

Yuwiler: Objection. Argumentative and the document speaks for itself.

Off. Sisco: No. I said there was things I wish I would have changed all this report, looking back on it now, and that's one of them when it says on line 10, I wish I would have included that previous knowledge of it. It implied in my mind, I knew what I was talking about. In my mind, I knew that it was previous when I was writing this. It was what made sense to me, and now, reading back on it, that's one of the things I would change. That somebody, as you, or somebody else might look at it and think well, that's ... what are you talking about? You mean right now? They're like no, no, no, that's previous. But that doesn't sufficiently portray that to you.

Sgt. Williams: Okay. Do you remember telling Sergeant Beronda when you had your discussion on March 14<sup>th</sup> after the arrest regarding probable cause, do you remember discussing with Sergeant Beronda at all the information that you had received from this other officer prior to the stop?

Off. Sisco: No.

Sgt. Williams: You did not tell him? Is that what you're saying?

Off. Sisco: I don't recall telling him, no.

Sgt. Williams: Okay. Did you document this in ... to your recollection, in this case or in any other case, did you document the information you received from that other officer? Is it documented anywhere?

Yuwiler: Objection. Vague and ambiguous. The information referring to this particular driver ...

Sgt. Williams: Right. The information you received from the officer stating that this registered owner was on fourth waiver status that you've been referring to. Did you document that discussion and that information anywhere in this case?

Off. Sisco: No.

Sgt. Williams: Okay. Did you document it in any other case that you can recall?

Off. Sisco: I've not had any other cases that I can recall that has to do with her.

Sgt. Williams: Okay. That's all.

Lt. Mendes: Just a couple questions. Sergeant Williams asked you some questions about the confirmation of the fourth waiver prior to searching. Let me ask you this question. Based on your training and experience through the academy, if you did a search on someone who you suspected to be on fourth waiver but they weren't, do you know what the consequences would be?

Yuwiler: Objection. Calls for legal conclusion. But if you have a belief you can certainly answer the question.

Off. Sisco: I do not know.

Lt. Mendes: You don't know. Do you know ... you did not receive any training or have any knowledge from your training officers or from anyone at the academy on what the consequences are making a search, a fourth waiver search, a parole search, that you thought that you knew that they were on probation, as you stated in this case, when in fact it may not exist? You don't know what the legal consequences are?

Yuwiler: Same objections. Also asked and answered. You can answer the question if you understand.

Off. Sisco: I may have received training on it. I don't recall. I don't recall what was told to me, but I also don't believe that I would do a search of a vehicle without knowing if they're affirmative fourth waiver.

Lt. Mendes: Okay. I have other questions, I think they'd be mostly speculative and raise the ire of Mr. Yuwiler with respect to where that would go.

Yuwiler: No ire here. Just making my objections for the record.

Lt. Mendes: Then let me just go right back to the beginning. You have your report in front of you. Maybe if you refer to the first page, and tell me what time the stop occurred?

Yuwiler: You're talking about the first page of the narrative or first page of the ...

Lt. Mendes: First page of the entire report? Where you have the time of your stop.

Off. Sisco: The time of the stop was at 21:03.

Lt. Mendes: And Sergeant Williams asked you some questions about lights, and I just wanted to kind of split the hairs here. He just talked about lights in general. Is it possible that you may have used your spotlights to avoid [inaudible 0:58:51] may have been dark at that time?

Off. Sisco: I don't recall, but the parking lot right there has lights, so I don't ... I believe at some point I probably did turn my spotlights on. Until recently, until we were told not to leave our cars on, I was leaving my car running, even if I was going to grab something to eat. It was ... there's a good chance that I left ... that my car was on so my headlights were on. A lot of time I do forget to turn my spotlight on, so I don't believe I turned my spotlight on because it was such a quick like oh crap, he's getting out of the car. So I just kind of got out real quick. I didn't want him walking away because it was more of like ... he was very trying to go walk away when I didn't understand where he was walking because everything was closed. So it was more why is he leaving, and so it was more me trying to catch up to him real quick, rather than worry about turning my lights on. That's something I also could have done later.

Lt. Mendes: Okay. Then this last area that I want to ask you ... two more areas I want to ask you about. The lights, the probable cause, you said you were giving the summary to Sergeant Beronda what your PC was as required. Apparently, that has changed. That's the statement that you had given to Sergeant Williams, that you gave a summary of your stop.

Yuwiler: A summary of the stop is what she said. Not a summary of the probable cause.

Lt. Mendes: Right. Okay. But you were giving a summary of the stop because you need to have his consent to do booking, is that correct or am I wrong?

Off. Sisco: We haven't always done that. I don't know if I was ... all shifts have always done that, or we haven't. I personally until recently haven't done that, so exactly what we're supposed to tell them has never been made clear because they're always like if anybody down there doesn't really understand exactly what we're supposed to tell them, so everybody does it differently. People say check the box. People say stop this car real quick, that's it. I say a brief summary of my whole thing. And so that's what I was doing.

Lt. Mendes: You've never been told that that summary needs to include probable cause, your probable cause for the stop, and that is the litmus test for the sergeant to clear you for booking? Have you ever been told that?

Yuwiler: Okay, I don't have a problem with the last portion of the question. Have you ever been told that, as opposed to this purported summary, you've never been told that. So if the question is have you ever been told that, have you ever been told that, that's what the sergeant is looking for?

Off. Sisco: We have been told to give them our PC dec. That's what I was doing was giving them a quick summary, including my PC, but I was very brief. I was stopped right after I had said that, and then continued on with it. And there's a chance that when I was telling him everything, I just kind of went over it real quick because I

had thought that he was there the whole time, in the office the whole time while I was there, and I thought after talking about it with everybody he had been engaging in conversation with all of us in there and all that, that I may have not said my exact thing, and I made have given a real, real brief at that point. I believe I even think at first I just said I'm clear to book, this was what I noticed, and I did a fourth waiver search, and at that point I might not have told him, although written on my paperwork, I might not have told him that I did a, stopped her for fourth waiver, but I don't recall also telling him at that point that I stopped him for the brake light. I think I was just naming everything. But I know at some point I said I did the fourth waiver search, I did all that.

And that was the beginning conversation, but it was ... I clarified that after I had already booked him into jail. He did come to me, I believe. It's starting all to like kind of come together, but I believe that's probably when it was in the evidence room. The first conversation was in the report writing room, and I remember him saying hey, you know you can't do this, and I was like oh no, I know, it was a fourth waiver compliance check. I don't know if that took place outside in the hall or exactly where we were when we were having that full conversation. But I might not have given him all of the information that was on that paperwork at the initial clear to book. But I believe I cleared that up with him when he began to question me about it, and I stated I know that, I did get educated on whether or not you can drive in the parking lot with or without a license.

Lt. Mendes: Okay. Allow me to just switch over and finish up here with the report. You had, in response to some of Sergeant Williams' questions a little earlier, you said that the report is not ... it's clear to you, but it might not be clear to someone who wasn't there. I think I may have paraphrased that fairly accurately. When you write reports, based on your training, based on your knowledge, is one of the reasons why you write the report is to refresh your recollection if you should have to go to court?

Off. Sisco: Yes.

Lt. Mendes: Is there another reason why you write the reports?

Off. Sisco: So other people can understand what's going on.

Lt. Mendes: Right. And would the prosecutor be one of those people?

Off. Sisco: Yes.

Lt. Mendes: And the prosecutor is the one that makes the decision on whether the case gets issued or not?

Off. Sisco: Yes.

Lt. Mendes: And is the one that would be asking you questions perhaps similar to Sergeant Williams' questions earlier this afternoon, very pointed ones about details like whether or not you knew whether the fourth waiver was active personally, or you heard it from Mr. Yuwiler, who saw the defendant in the parking lot?

Off. Sisco: Yes.

Lt. Mendes: Okay. And you know that it's important to write a very accurate police report for those reasons.

Off. Sisco: Yes.

Lt. Mendes: But it's still your understanding or it's still your statement that if you were to write it ... I guess let me ask you. If you had to write this over again, would you write it differently?

Off. Sisco: Yes, and had I not been in this position, I would have looked at it and still thought what I wrote was fine. Having been in the position of kind of having to really pull it all apart, I definitely would write things a lot differently now.

Lt. Mendes: All right. I don't have anything else.

Sgt. Williams: I have a couple more. You said when the suspect vehicle stopped, the male driver got out and started walking away in a quick fashion, and you had to get out. Did you order him back?

Off. Sisco: No.

Sgt. Williams: How did you get him to come back? Or did he come back?

Off. Sisco: Yes. He ... I wish I could show you. He just kind of stepped out of the ... like it was a ... he was stepping out, and I say hey, I said, do you mind if I can talk to you real quick. And he just kind of looked at me. I said hey, if you don't mind, can I just talk to you, if you don't mind sitting down, can I talk to you real quick? I never said get back in the vehicle, I never ... it was all if you don't mind, if you this, if you that. And she was still in the vehicle eating her ice cream.

Sgt. Williams: Okay. Was this a consensual encounter?

Yuwiler: Objection. Calls for legal conclusion.

Sgt. Williams: In your opinion?

Off. Sisco: It could be viewed that way, but I had planned on it being a traffic stop. I didn't plan on this being a consensual encounter, but it could have in an aspect turned into that because that's just kind of how it all went down in the end. But I still

put it out over the radio as a traffic stop, I still went up and did all that. I usually, even if it was a traffic stop and they were getting out, I would usually ask them, because I'm looking more for how compliant they're going to be with me and if it's going to be a hostile environment or if it's going to be everything is cool, and that will depend on how I treat somebody. So I would always, even if it was just a traffic stop, ask them if I could speak with them real quick and if they say no, then if I am conducting a traffic stop I'll tell them to get back in.

Sgt. Williams: Okay. So in your mind, was this a detention or a consensual encounter when you made contact with them?

Yuwiler: Objection. Calls for legal conclusion, but at what point?

Sgt. Williams: I said when you make first ...

Yuwiler: First making contact?

Sgt. Williams: Yeah.

Off. Sisco: When I put it out over the radio, I planned on it being a traffic stop. It somewhat turned into a consensual contact. Still with me knowing I had probable cause for it to be a traffic stop. So it's hard to say whether or not which one it was, because it was initially supposed to be one and all that, and I wasn't going to let them just walk away had it turned down that road, but it could have eventually ... it could have led into just a consensual contact because of the way everything went down.

Sgt. Williams: Okay. Whose responsibility is it to confirm the fourth waiver status of somebody that you stop?

Off. Sisco: Mine.

Sgt. Williams: Before you met with Sergeant Beronda, after this arrest but on this day, the discussion we already talked about, did Sergeant Beronda call you to the station to talk to you?

Off. Sisco: About this?

Sgt. Williams: Yeah.

Off. Sisco: I don't believe so.

Sgt. Williams: Do you remember what you were doing at the station when he spoke with you?

Off. Sisco: I believe I came back to book the blood. Usually if I get blood I'll usually come back right away and book it.

Sgt. Williams: All right. Do you remember where you were when you guys spoke?

Off. Sisco: That's what I was saying. I don't recall whether ... I mean, there's conversations that we had in the briefing room. I remember him kind of coming towards me in the evidence room, but I also remember we had another conversation outside of the evidence room. After that, there was multiple conversations, so throughout that part of the station.

Sgt. Williams: Did he tell you during that conversation or during those conversations you guys had that you did anything wrong?

Off. Sisco: No. He questioned me on if I knew, and he said I didn't want to call you out in front of your 10-16. I think this is the part of the conversation that was after I booked him. He said I didn't want to talk to you about it in front of him, but you know you can't do this, and that's when we talked about that, but he never accused me of doing anything wrong, no. He just asked if I understood, and I did. Like I said, I did ask him the knowledge about ... and I didn't know, to be honest, I didn't know whether or not you could drive through a parking lot with or without a license. I think I also did ask him if I was wrong in doing a DUI on private parking lot, because after I had asked him about the license, I didn't think that ... I thought you could ... I didn't think that you could drive through a parking lot like that without a license, so when he told me that you could, I then asked him well, was I wrong in doing a DUI in a private parking lot, and he told me no, you can still do that.

Sgt. Williams: Okay. Anything else? Okay. Is there anything about this incident that we haven't asked you about that you believe would be important for you to relay to us?

Yuwiler: Objection. It's overbroad and an incomplete hypothetical, and the concern that I have is there may be a lot more that could be brought to the department's attention. We have the opportunity of looking at the totality of the investigative materials, including what the sergeant allegedly said. Without having that, it's really hard to try to say whether or not there could be more information that might assist. Do you mind if I ask her a couple of quick questions?

Sgt. Williams: Actually, let me ask this question. At this point, is there anything else you would like to tell me?

Yuwiler: I don't recommend closing statements, but you can say anything you feel is appropriate.

Off. Sisco: No.

Sgt. Williams: Yeah, absolutely.

Yuwiler: First of all, in any statement that you made to this Sergeant regarding this incident, did you intend to deceive him?

Off. Sisco: No.

Yuwiler: And in your report, at any point in time did you intend to deceive anyone?

Off. Sisco: No.

Yuwiler: And do you have the belief that there are some drug offenses for which the fourth waiver is, for lack of a better term, automatic?

Off. Sisco: Not automatic, but most of the ... like it's a high rate that you would get it.

Yuwiler: On specific drug offenses?

Off. Sisco: Most of the controlled substances and the paraphernalia, but I think they're now starting to go away from paraphernalia.

Yuwiler: I think you said that you're not sure if you ... I'm sorry, every agency has a different word for it ... the MDC or the M ...

Off. Sisco: Computer.

Yuwiler: KDT or the car computer. You said that it's a possibility that you may have sent a message to dispatch asking them to confirm the fourth waiver status?

Off. Sisco: It's possible.

Yuwiler: You don't recall one way or the other.

Off. Sisco: Yeah, I say that because I've done it with other ones, and so I don't recall if I did it on this incident or not.

Yuwiler: Okay. At some point before you conducted a search, were you actually ... not the stop, but the search itself, you ... as I understand it, you had confirmed that [REDACTED] or however she pronounces it, was in fact on probation.

Off. Sisco: With her telling me that she was and that she was fourth waiver, and also at that point I even tend to ask consent, even if they're fourth waiver. I even asked her for consent to search the vehicle. I even asked him for consent to search his belongings and his stuff, but at that point, before I searched, I believe I already knew that he was fourth waiver. But before I searched the vehicle, I don't think dispatch had yet confirmed that she was. I believe they confirmed that he was, but not that she was.

Yuwiler: Okay, and I apologize because I just want to make sure. But regardless of whether dispatch had confirmed something, she told you she was ... strike that. I think if I recall you said something to the effect of you went up to her and said but you are on probation and you are fourth waiver. And she acknowledged she was. Words to that effect.

Off. Sisco: Yes, and he said he wasn't.

Yuwiler: Okay. So at least assuming she's telling you the truth, she's acknowledging that she could be searched at any time because she's given up her fourth amendment rights.

Off. Sisco: Yes.

Yuwiler: Okay. And at some point in time, and I don't know exactly when it was in this process, you did receive confirmation from dispatch that both of them had fourth waiver.

Off. Sisco: Yes.

Yuwiler: Okay. And I take it that an arrest was not conducted until you confirmed that one or both were fourth waiver.

Off. Sisco: Affirmed they were sitting out on the ... not in handcuffs, they were both sitting with Officer Torres and Officer Thompson on the sidewalk.

Yuwiler: Okay, so they were detained?

Off. Sisco: They were sitting there. They weren't in handcuffs or anything. They were sitting there and they were doing ... we always do FIs, field interviews, to get all their information in case it doesn't lead to an arrest.

Yuwiler: And I apologize, just so I'm clear. Before they were formally ... either was formally arrested, I think it was just one that was arrested, the male, before the male was formally arrested, do you believe that you had received confirmation from dispatch that there was in fact a fourth waiver?

Off. Sisco: I believe so, yes.

Yuwiler: Okay. I don't have any further questions at the present time. Thank you.

Sgt. Williams: I have one more question. In response to your Attorney's question, you said that you had asked for consent to search? Was that from both or one of them?

Off. Sisco: I asked for both. I asked [REDACTED] [REDACTED] said yes. Then I said I was going to search the vehicle, and that's when I ... with my normal ... my practice is usually to say hey,

I'm going to make sure you don't have any illegal on you, and there's nothing in your area, is that cool? And he said yeah.

Sgt. Williams: Did you document anywhere in the report that you had asked for consent?

Off. Sisco: I did not. No.

Sgt. Williams: Why not?

Off. Sisco: I don't believe I did.

Sgt. Williams: Why wouldn't you?

Off. Sisco: Because I had done that in previous reports when they have been a fourth waiver, and I have been informed that I don't need consent to do that, so I've not included it in my reports anymore.

Sgt. Williams: Do you remember who told you not to include the fact that you got consent from somebody?

Yuwiler: That misstates her prior response. She said she was told that she didn't need it, and therefore she didn't include it in further reports.

Sgt. Williams: Okay. Did anyone instruct you not to document the fact that you obtained consent prior to the search?

Off. Sisco: No, that would be my own mistake or doing, so ...

Sgt. Williams: Anything else, sir?

Lt. Mendes: Why wouldn't you put that in there?

Off. Sisco: Honestly, I should have. I'm not saying I shouldn't have, by no means at all. I probably should have, and going back on this I probably would have, but it might have been one of those things either at the time I was writing this I just didn't think about it, didn't remember, or I had fourth waiver. I can't give you an answer why I didn't do it, but in the end I should have, but I didn't.

Lt. Mendes: If that person's fourth waiver turns out to be invalid, and you've documented that you have consent, can you see the viability of your case still being alive as opposed to not putting it in there and having the case squashed?

Off. Sisco: Yes, but I was confirmed by dispatch that they were both valid. But yeah. If it was some mistake in the system, yes.

Yuwiler: And I'm sorry to do this to you, but did you have the impression when you were told ... because apparently you had the belief that when you wrote a report that

you would put in that there was consent in addition to fourth waiver, and someone told you you don't need to have consent if you have fourth waiver. Did you form the impression in your mind well then I shouldn't put in the consent portion?

Off. Sisco: I won't blame anybody else for that. I just believed that I didn't need it, so I didn't put it in there, and again, it's my report I should know what needs to be in there.

Yuwiler: I don't have anything further at the present time.

Sgt. Williams: Anything else?

Lt. Mendes: Okay. Is there anything else you'd like to tell me?

Off. Sisco: No.

Sgt. Williams: Okay. I have no further questions at this time. On behalf of the Chief of Police, I'm ordering you not to discuss this investigation or its subject matter with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. Doing so would be insubordination and by itself would subject you to disciplinary action up to and including termination. Do you understand?

Off. Sisco: Yes.

Sgt. Williams: This order will be automatically lifted when you are given notice of the findings of this investigation by your division commander. This concludes the interview. The time is now approximately 8:04 p.m. I'll turn off the recorder.

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Sgt. Thomas interview transcript (4-26-13)

Sgt. Williams: I am Sgt. Williams and I am the officer in charge of this investigation for the Carlsbad Police Department. Today's date is April 26, 2013; the current time is approximately 1:04pm. We are in my office at the Carlsbad Police Station; no one will be assisting me with this interview today. Present at this interview is Sgt. Thomas who does not have a representative. This interview is being recorded. The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor and authored either a false or inaccurate police report related to an incident that occurred on March 14, 2013.

Today's question concerns administrative matters related to the official business of the Carlsbad Police Department on behalf of the Chief of Police and I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness I will stop the interview and we will reschedule for a later time when you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights. Sgt. Thomas do you understand what I just read you?

Sgt. Thomas: Yes

Sgt. Williams: Do you have any questions regarding what I read?

Sgt. Thomas: No.

Sgt. Williams: Before the interview I gave you a copy of Officer Sisco's arrest report that she prepared-the case number's 13-01544 and gave you an opportunity to read it. Have you had an opportunity to read it-look over it?

Sgt. Thomas: Yes.

Sgt. Williams: On the bottom of Officer Sisco's arrest report it shows that the report was approved by S. Thomas and then ID of 5296-did you approve this report?

Sgt. Thomas: Yes I did.

Sgt. Williams: Ok. Do you remember now that you had a chance to look at the report-do you remember reading this and approving it back in March?

Sgt. Thomas: Yes.

Sgt. Williams: Did Officer Sisco bring this to you and specifically give it to you or do you remember if it was in the inbox for the sergeants?

Sgt. Thomas: I believe it was in the inbox for the sergeants. I don't even remember Officer Sisco handing it to me.

Sgt. Thomas interview transcript (4-26-13)

Sgt. Williams: Ok. Did you have any conversation with Officer Sisco regarding this case?

Sgt. Thomas: I do not remember having a conversation, no.

Sgt. Williams: Do you remember having a conversation with any other person in the police department regarding this case other than today talking about this case for this investigation?

Sgt. Thomas: No.

Sgt. Williams: Ok. Do you know off the top of your head if you've ever had any contact or interaction with the two suspects that are named? [REDACTED] or [REDACTED]?

Sgt. Thomas: I do not. No.

Sgt. Williams: Ok. What I'm understanding is that-were you working patrol overtime when you approved this?

Sgt. Thomas: Yes.

Sgt. Williams: Ok. Do you remember what shift you were working when you approved this?

Sgt. Thomas: No I don't.

Sgt. Williams: You're recollection is that you do remember approving the report, you don't remember having any interaction with Officer Sisco regarding it, you believe it was in the inbox, you're staying down in Patrol and that's what caused you to read it? Is that true?

Sgt. Thomas: Yes.

Sgt. Williams: Ok. You haven't spoken to anybody in the police department regarding this case or had any contact with the two people [REDACTED] or [REDACTED] that were contacted during this case?

Sgt. Thomas: No.

Sgt. Williams: Ok. Do you have anything else that you can think of regarding this incident we should know about?

Sgt. Thomas: No.

Sgt. Williams: Ok. I have no further questions at this time. On behalf of the Chief of Police I'm ordering not to disclosure anything we discussed during this interview or anything regarding this investigation with anyone. However you may speak with legal counsel should you choose consult an attorney. Disclosure of anything we discussed during this interview would be considered insubordination and by

Sgt. Thomas interview transcript (4-26-13)

itself would subject to disciplinary action up to and including termination, Sgt. Thomas do you understand?

Sgt. Thomas: Yes.

Sgt. Williams: This order will remain in effect indefinitely due to the nature of this investigation. This concludes the interview. The time is now approximately 1:09pm.

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Sgt. Chase interview transcript (5-1-13)

Sgt. Williams: I'm Sgt. Williams, and I'm the officer in charge of this investigation for the Carlsbad police department.

Today's date is May 1st, 2013, and the current time is 3:32 p.m. We're in my office at the Carlsbad police station. Sgt. Jackowski is also present and will be assisting with this interview.

Present at this interview is Sgt. Chase who is alone without a representative. This interview is being recorded. The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14th, 2013.

Specifically, it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14th, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad police department. On behalf of the Chief of Police, I'm ordering you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview, and we will reschedule for a later time, wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights.

Sgt. Chase, do you understand what I just read you?

Sgt. Chase: Yes I do.

Sgt. Williams: Do you have any questions regarding what I read?

Sgt. Chase: No.

Sgt. Williams: So, what we're going to talk about is on March 14th, 2013, Officer Sisco, at about 9 o'clock p.m., conducted a traffic stop in the 7600 block of El Camino Real in the parking lot by Flippin' Pizza, that resulted in DUI and narcotics related arrest.

I pulled the patrol schedule for that night, and it doesn't look like you were on it. Do you remember if you were working on Thursday, March 14th?

Sgt. Chase: I think I was in training. I was adjusted for a training class.

Sgt. Williams: So you were not working?

Sgt. Chase: No.

Sgt. Chase interview transcript (5-1-13)

Sgt. Williams: Then, on Saturday, March 16th, it looks like you were working as 41-Sam.

Sgt. Chase: Yes.

Sgt. Williams: On March 16th, do you remember a conversation in the watch commander's office between Sgt. Beronda, Lt. May, and you, involving Officer Sisco?

Sgt. Chase: I don't know for sure if it was that night, but it was some time around that time period when we were going over what happened that week as we generally do. We try to recap what somebody else may have missed, or any concerns of officers, so it might have been that night, but I don't know for sure.

Sgt. Williams: Do you ever remember Sgt. Beronda mentioning to you, either in the presence of Lt. May or not with Lt. May around ... Did Sgt. Beronda mention to you any concerns he might have about a traffic stop and a report written by Officer Sisco?

Sgt. Chase: Yes.

Sgt. Williams: From March 14th?

Sgt. Chase: Yes.

Sgt. Williams: What were his concerns? What did Sgt. Beronda relate to you?

Sgt. Chase: His concerns were that she made a traffic stop in a private parking lot for a vehicle equipment violation, and she was unaware that that was illegal. That in a parking lot you're not subject to most of the vehicle codes except for DUI and other things.

So, he was concerned about that, and then when he had a conversation with her about that, she backtracked and then said, "Well, it wasn't for the vehicle code violation. I actually stopped them because the passenger was on probation."

Then, when she turned in her report, to him, he was concerned because then her report made it look like she didn't stop them for the vehicle code violations, that she only stopped them for being on probation.

Sgt. Williams: You didn't ... Did you witness any conversation between Sgt. Beronda and Officer Sisco regarding this incident?

Sgt. Chase: No.

Sgt. Chase interview transcript (5-1-13)

Sgt. Williams: This is just Sgt. Beronda relaying to you what happened on the incident regarding ... with Officer Sisco?

Sgt. Chase: Yes.

Sgt. Williams: You and Sgt. Beronda are like partner sergeants on the same shift?

Sgt. Chase: Yes.

Sgt. Williams: You work for Lt. May?

Sgt. Chase: Yes.

Sgt. Williams: Have you ever spoken to Officer Sisco about the traffic stop that lead to this arrest on March 14th, 2013, and I believe the case is 13-01544? You can have a copy of it if want to look at it.

Sgt. Chase: No, I never discussed it with her.

Sgt. Williams: You're sure you didn't?

Sgt. Chase: I'm sure.

Sgt. Williams: The suspects that Officer Sisco contacted that day were people by the names of [REDACTED] who is a 55-year-old man, and then [REDACTED], who is a 49-year-old lady.

Do those names ... Do you know those people at all? Are they familiar with you at all?

Sgt. Chase: I don't know the people. I do know the names because Sgt. Beronda printed it up later so we could check their status and see how quickly she could run them in SD law if that was possible. So we ran, I think, her name. So, I have heard the names before but I don't know the people. I'm not familiar with them.

Sgt. Williams: Your only familiarity with these is with your discussions with Sgt. Beronda?

Sgt. Chase: Yes.

Sgt. Williams: Have you spoken to Officers Richards, Torres , or Thompson on your shift about this traffic stop and arrest?

Sgt. Chase: No.

Sgt. Chase interview transcript (5-1-13)

Sgt. Williams: Do you have any questions?

Sgt. Jackowski: When she said that she had ran the passenger, she said the passenger was on probation. Did she say how she found out the passenger was on?

Sgt. Chase: I believe in her report, it stated that she ran her in SD law in EJIMS, and then basically it clicked on the case which took her over to the county mainframe which will say if they're on probation.

But you have to be logged on to both of those, because they're separate passwords, at the same time for that to work, which is possible, but it times out every so often so you have to re-log on. So, if she ran the R.O. of the car quickly and then clicked on that hyperlink to go over there, then you could, but it would be very hard to do that within her time frame of putting out the stop while driving in a parking lot.

We just thought that that was too fast.

Sgt. Jackowski: Did she say, did she verbalize to you that that's how she had done it?

Sgt. Chase: I never talked to her about it. This was just ... I don't remember exactly if it spelled it out. I think it just said she looked it up EJIMS in her report, and I told Sgt. Beronda I don't think you can look up probation status in EJIMS.

That's when we played around with it and learned that you can go to EJIMS and then click on the case if there is hyperlink you can open, and then it takes you over to the SUN mainframe so you can go in a roundabout way, but you have to be logged on to both at the same time.

It would usually take a while and not be very possible while you're driving through a parking lot trying to catch up to a car and do all this within a certain time frame.

I don't think ... I never talked to her about it. She never told me how she did it, but in her report it said that, I think, she looked up her probation status in EJIMS.

Sgt. Jackowski: Did you ever look at her CAD history regarding the stop?

Sgt. Chase: Yes. Sgt. Beronda printed it up so we could try to see if that was possible. I looked at the CAD history then, to see if it ... and I think said it only took her a minute. I think she had about a minute and 40 seconds to do it.

Sgt. Jackowski: Did you see anywhere on the CAD where it looked like she had run a 29-person in the car? Through the car and not through dispatch prior to the stop?

Sgt. Chase interview transcript (5-1-13)

Sgt. Chase: I don't think she did in the car. I can't remember though, to be honest.

Sgt. Williams: Is there anything else about this incident that you think we should know about that I didn't ask you about?

Sgt. Chase: No. Just that Lt. May was present during that conversation between Sgt. Beronda and I where we were all talking about the week's activities and sharing concerns. That was it.

Sgt. Williams: I have no further questions at this time on behalf of the Chief of Police. We're ordering you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone.

However, you may speak with legal counsel should you choose to consult an attorney. Disclosure of anything we discussed during this interview would be considered insubordination, and by itself would subject you to disciplinary action up to and including termination.

Sgt. Chase, do you understand?

Sgt. Chase: Yes.

Sgt. Williams: This order will remain in effect indefinitely due to the nature of this investigation.

This concludes the interview. The time is now 3:42 p.m.

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Off. Thompson interview transcript (5-9-13)

Sgt. Williams: I am Sergeant Williams. I am the officer in charge of this investigation for the Carlsbad Police Department. Today's date is May 9, 2013. The current time is 4:07 p.m. We are in my office at the Carlsbad Police Station. Lieutenant Mendes is also present, and will be assisting with this interview. Present at this interview is Off. Matt Thompson, who is alone without a representative. This interview is being recorded. The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco, on March 14, 2013. Specifically, it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false, or inaccurate, police report related to an incident that occurred on March 14, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad police department. On behalf of the Chief of Police, I now order you to answer my questions completely, and truthfully. If at any point I determine your involvement is more than that of a witness, I'll stop the interview, and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer, per the Peace Officer Bill of Rights. Officer Off. Thompson, do you understand what I just read you?

Off. Thompson: I do.

Sgt. Williams: Do you have any questions regarding what I read?

Off. Thompson: No.

Sgt. Williams: Okay. Before we went on tape, I allowed you to read the arrest report that was authored by Officer Sisco. It's case number 13-01544, documenting the traffic stop and the arrest on March 14, 2013, that we wanted to talk about. Do you remember the incident that she wrote about in that case?

Off. Thompson: I do.

Sgt. Williams: Do you remember responding to the scene of the traffic stop, or being at the scene of the traffic stop?

Off. Thompson: Yes.

Sgt. Williams: Do you remember what caused you to be there? My questions is, were you at the ... in the parking lot at the time of the stop, when she made the stop, or did you later go to the traffic stop?

Off. Thompson: She asked for a second unit routine, so dispatch sent me.

Off. Thompson interview transcript (5-9-13)

Sgt. Williams: Okay. Do you remember where you were when you were ... approximately when you were dispatched to respond to it?

Off. Thompson: Not specifically.

Sgt. Williams: Okay.

Off. Thompson: I remember I was in the seven beat. That was my beat, I was the seven car, so I was probably somewhere in the Seven beat.

Sgt. Williams: Okay. When you first arrived on scene of the traffic stop, tell me what you found. What was going on?

Off. Thompson: Actually, Officer Torres had beat me to the scene, so he was covering down on the passenger's side of the vehicle. Taryn had the driver, the male half, to the rear of the vehicle, so I just went to cover her.

Sgt. Williams: Okay, so she was standing at the rear of the suspect vehicle, talking to the driver?

Off. Thompson: Yeah, conducting a pat down.

Sgt. Williams: Do you remember if the driver was male or female?

Off. Thompson: It was male.

Sgt. Williams: Do you remember if the passenger was male or female?

Off. Thompson: Female.

Sgt. Williams: Okay. When ... did you get ... through the stop, did you get a look at both the passenger and the driver?

Off. Thompson: Yes.

Sgt. Williams: Were they any ... were they people that you recognized, or had you ever dealt with these people before?

Off. Thompson: I had not. No.

Sgt. Williams: Okay. In the arrest report, the name of the male was [REDACTED] Do you remember ... do you recall that name, or have you ... when you hear that name, do you think you've ever dealt with that person before?

Off. Thompson interview transcript (5-9-13)

Off. Thompson: Prior to the stop?

Sgt. Williams: Yeah.

Off. Thompson: No, I had never.

Sgt. Williams: Okay. The female passenger was named [REDACTED] Same question. Do you remember ever dealing with her before?

Off. Thompson: No. No.

Sgt. Williams: Okay. Did you, at any point, ever talk to Officer Sisco about what led to the traffic stop?

Off. Thompson: I did. I was wondering what just the PC was, because she had the driver out of the car. At some point, I asked if they were affirmative Fourth because she wanted to do a search. She said she didn't know, so I went to my car to run them out. At some point, the female, they'd taken her out and put her on the curb. I heard her tell ... I think it was Officer Torres, or one of the officers ... said the reason for the stop was because they didn't use a turn signal from Circle K going over to ... I think they were getting a burrito at Rudy's, or something.

Sgt. Williams: Okay. When you get there, and Officer Sisco is doing a pat-down search of the male driver, at what point ... how long were you on scene when you asked Officer Sisco if they were on Fourth Waiver?

Off. Thompson: I don't know the exact amount. I just wanted to get an idea of what was going on. When you cover someone, get a sense of what the stop was for, what they're looking for, what's the circumstances. I remember, at some point, I went back to my car. I said, "Are you guys okay, here? I'll go run them out." That's when I heard the female say the reason for the stop. At that time, I went over to Sisco and I said, "Hey. You know this is private property. You can't pull them over for not putting on a turn signal." She said that she knew the passenger was Fourth Waiver, so that's why she did the stop.

Sgt. Williams: Okay. You're ... it's within pretty close when you get on scene, short time, you're saying that you talked to Officer Sisco about if they're Fourth Waiver?

Off. Thompson: Right.

Sgt. Williams: Her initial response to you is she didn't know?

Off. Thompson: Correct.

Off. Thompson interview transcript (5-9-13)

Sgt. Williams: Did you ... you then went to your car to run these people to determine if they were wanted, or Fourth Waiver?

Off. Thompson: To see if they were Fourth Waiver, yeah.

Sgt. Williams: Did ... how did you get their identity? How did you get their information to run them?

Off. Thompson: They had already run it in the call. Dispatch was taking a long time, so that's why I went just to run it out. I think the return had come over by the time that I saw that they were Fourth Waiver. When I went back, and she was at the passenger side of the vehicle, I said that's ... because I heard the female say the reason for the stop. At least that's what she thought. The female thought that. The passenger thought that the reason for the stop was no turn signal coming out of Circle K.

Sgt. Williams: Okay.

Off. Thompson: I just wanted to advise her that that's not good PC, just because it's on private property.

Sgt. Williams: Okay. The female suspect, the passenger, is the one that told you, you were stopped for not using your turn signal?

Off. Thompson: She's the ... I overheard her saying that, I think, to Torres. She said, "Yeah, the reason we got stopped was because he didn't turn on the turn signal coming out of ... they went and got gas, or something, at Circle K, and then they were going to get a burrito at Rudy's. Coming out of the Circle K, going through the parking lot, which is private property, didn't use a turn signal. That's what she thought the stop was for, the female passenger.

Sgt. Williams: The female passenger?

Off. Thompson: Yeah. That's when I went to Sisco and told that that's not good PC.

Sgt. Williams: Do you remember if that conversation that you overheard from the passenger regarding why there were stopped was before, or after, you went back to your car to run the suspects?

Off. Thompson: I was in my car when I heard it.

Sgt. Williams: Okay, so you had already talked to Officer Sisco. She said she didn't know if they were on Fourth Waiver. You went back to your car to do the inquiries on the computer. While you're sitting in the car doing your inquiries, you overhear the

Off. Thompson interview transcript (5-9-13)

conversation between Torres and the female passenger, where she says she was stopped for not using a blinker in the parking lot.

Off. Thompson: Correct.

Sgt. Williams: Then, what ... tell me if I'm wrong. I'm just making sure I understand. Then, you're saying you got out of your car, and you went and told Sisco that probable cause of using a blinker in a parking lot is not good probable cause.

Off. Thompson: Correct.

Sgt. Williams: What did she tell you?

Off. Thompson: She told me the she knew that the female passenger was Fourth Waiver, which

Sgt. Williams: Okay. When you went back and said that, had that conversation with her, had the return come back from Dispatch advising Officer Sisco that she was on Fourth Waiver?

Off. Thompson: I believe so, yes.

Sgt. Williams: Okay. Do you remember if you were in your car, running inquiry on the suspects, when the return came back over the radio from Dispatch?

Off. Thompson: I don't remember specifically.

Sgt. Williams: Okay, but it's your belief, but you're not positive that the return had come back before you had the conversation with Sisco about the probable cause not being good in the parking lot?

Off. Thompson: Yes.

Sgt. Williams: When you heard that, did you ... at the time, did you link the two up of ... what I'm hearing is a contradiction from what she's telling you about her knowledge of whether they're on Fourth Waiver, or not.

Off. Thompson: What my first thought is, is okay, maybe she ran it in her car, saw that she is Fourth Waiver, but wanted confirmation of it. I was giving her the benefit of the doubt on that. My other thought was that ...

Sgt. Williams: Let me stop right there. Did she tell you that she ran it in the car?

Off. Thompson: No.

Off. Thompson interview transcript (5-9-13)

Sgt. Williams: She ... did she just tell you that she knew the ...

Off. Thompson: She said that she knew the passenger was Fourth Waiver, so I assumed that she ran it out in the car ... unless she already knew the person, which I have no prior knowledge of that. I don't ... my other thing is because I'm very comfortable with the systems to run people, just because my history here, experience here. I don't know if she has the capability to do it, on County Locals, or I don't know. I was hoping that the reason she didn't know was because she wanted confirmation, not because she was just saying that ... if that makes sense.

Sgt. Williams: Okay. I understand. Did she ever tell you how she knew that the passenger was on probation, Fourth Waiver probation?

Off. Thompson: No.

Sgt. Williams: Did you ever ask her, or question her, about the discrepancy, when the fact that initially she said she didn't know if they were on Fourth Waiver, and then when you had clarified the probable cause issue, she said she did know. Did you ever have any further discussions about that discrepancy?

Off. Thompson: I did not. I was planning on going car-to-car with her, to ask to clarify, but I never did, and then that was the last ... I think that was the last week that I worked, so I didn't do it. I didn't want to be accusatory towards her. Like I said, I wanted to give her the benefit of the doubt.

Sgt. Williams: Okay. Did you ... have you talked to ... did you talk to ... after that traffic stop, or even during that traffic stop, did you talk to anybody else about the probable cause for that stop? Did you ever talk to Officer Torres or Officer Richards about it?

Off. Thompson: I don't believe I spoke to Torres or Richards. I talked to Officer Burns about it.

Sgt. Williams: Officer Burns?

Off. Thompson: Yeah.

Sgt. Williams: What did you tell Officer Burns?

Off. Thompson: We had had some prior conversations about Officer Sisco, just because I had asked Officer Burns about her, because she had worked as a beat partner with her. Just some trust issues that she had. I brought that up, and told her what my belief was that ... about what happened there.

Off. Thompson interview transcript (5-9-13)

Sgt. Williams: What was your belief?

Off. Thompson: I believe that she lied about it.

Sgt. Williams: What makes you believe that?

Off. Thompson: I looked on the computer of when she ran the plate, and she made the traffic stop a minute-and-a-half later. Unless she was looking it up in Surfers ... I don't know. I know a way that she could do it. Again, I'm giving her the benefit of the doubt. Most likely, she didn't run the person up before. She probably looked her up in EJIMS. She saw that she had a record, but didn't know for sure that she was fourth waiver. This is just my ... what I would think happened. I don't know for sure. That's what I think, because she wouldn't have time to run it, unless like I said, she just ran the plate through Surfers, saw who was contacted, and then ran out through locals. Then, on her CAD computer, ran the plate, and then made the traffic stop a minute-and-a-half later. She just didn't have time to run it out, in my belief.

Sgt. Williams: Okay. I understand what you're saying. That was your suspicion. Did you ever do an investigation to determine, for sure, if she had or not, or you just had a suspicion that it just didn't seem right?

Off. Thompson: No. I have no way ... I had no way of doing that because I don't have access to look to see if she looked up the plate on Surfers, or I don't even know if she has access to County Locals to look up if she had Fourth Waiver status. I didn't.

Sgt. Williams: Okay. When do you remember approximately when you talked to Officer Burns?

Off. Thompson: It was later that night.

Sgt. Williams: Did you talk to Officer Burns specifically about this stop?

Off. Thompson: Yes.

Sgt. Williams: What did Officer Burns have to say about it?

Off. Thompson: It didn't seem to surprise her. I don't know. I don't really recall specifically.

Sgt. Williams: Did she relay to you that she had talked to Officer Sisco about this incident?

Off. Thompson: No.

Sgt. Williams: Did Officer Burns, before you talked to her about this traffic stop, was Officer Burns already aware of any issues about it?

Off. Thompson interview transcript (5-9-13)

Off. Thompson: About the stop? No.

Sgt. Williams: Yeah. Okay.

Off. Thompson: No. I don't believe so.

Sgt. Williams: Did Officer Burns relay to you that she knew any of these people that Officer Sisco had stopped?

Off. Thompson: No.

Sgt. Williams: Did Officer ... who else ... you said Officer Torres was there. Did anyone else show up on scene?

Off. Thompson: Not that I remember.

Sgt. Williams: Okay. Did Officer Torres ever relay to you that he knew these people that were stopped?

Off. Thompson: No.

Sgt. Williams: Okay. Let me tell you, in my mind, what I'm hearing you say. Let me know if any of it's wrong. Okay? What I'm hearing you say is you get dispatched to cover Officer Sisco on this traffic stop, because she asked for a second unit. When you got on scene, were you stopped by the Flippin' Pizza, over there?

Off. Thompson: Yeah. It was north of there. It was just as you enter that little pocket parking lot going into Flippin' Pizza and Rudy's.

Sgt. Williams: Okay. When you get there, the stop has already been made. Officer Torres is at the passenger side of the vehicle. The female passenger is still in the vehicle?

Off. Thompson: Yes.

Sgt. Williams: The driver, male driver, is standing to the rear of the suspect vehicle, and Officer Sisco is conducting a pat-down search?

Off. Thompson: Correct.

Sgt. Williams: You walked up to Officer Sisco, and asked her if these people were on Fourth Waiver probation.

Off. Thompson interview transcript (5-9-13)

Off. Thompson: Well, just generally what was going on. Yeah. Once ... I believe she maybe cuffed him up, and put him in the back of her seat ... or her vehicle. Then, she was wanting to do a search, and I asked what the search was pursuant to, if it was pursuant to arrest, or what it was. I asked if they were Fourth Waiver, and she said she didn't know.

Sgt. Williams: Did she tell you what she was going to search and pursuant into?

Off. Thompson: She didn't. No.

Sgt. Williams: Okay.

Off. Thompson: That's when I went to check.

Sgt. Williams: Through that initial conversation at the rear of the suspect vehicle, when you first got there, that's when she relayed to you that she did not ... you asked if they were on probation, and she said she didn't know.

Off. Thompson: Correct.

Sgt. Williams: Then, you went back to your patrol car to ... did you go back to your patrol car?

Off. Thompson: Yes.

Sgt. Williams: Did you actually conduct inquiries, do you know?

Off. Thompson: Yeah.

Sgt. Williams: Okay. On the ...

Off. Thompson: Not on the CAD, I did it in County Locals.

Sgt. Williams: Okay. You're conducting inquiries on ...

Off. Thompson: Not through NCIC, not the CAD, that's ... sorry. That's ... not through the QW, or whatever person.

Sgt. Williams: You went in...

Off. Thompson: I went through County Locals, which is ...

Sgt. Williams: Got it. Okay, so you're in your car working on it, and you don't remember when, but at some point, dispatch returns that they're on probation?

Off. Thompson interview transcript (5-9-13)

Off. Thompson: Yes.

Sgt. Williams: While you're in the car doing this computer search, you overhear a conversation between the female passenger and Officer Torres, where the female passenger tells Officer Torres that they were stopped for not using a blinker while traveling from the Circle K, to the taco shop, or whatever.

Off. Thompson: Correct. I'm not certain if she was talking ... she was talking in the direction of Officer Torres. It might have been to Officer Sisco, or to the guy in the back seat, the driver. I'm not sure.

Sgt. Williams: Okay. You hear the passenger say that. You're not sure who she's directing it to.

Off. Thompson: I'm pretty sure it was Mike, but I'm not positive on that.

Sgt. Williams: Okay. Then, you ... upon hearing that, go to Officer Sisco and tell her that the blinker ... did she ... I guess, let me ask you this. Did she tell you that she used the blinker as probable cause, or did you, based on that, just go tell her that that isn't good probable cause?

Off. Thompson: She never told me. Just based on that, I went and told her that that's not good probable cause.

Sgt. Williams: At that point, she said, "I knew the passenger was on Fourth Waiver."

Off. Thompson: Yeah. She said she knew the RO, which was the passenger that was the Fourth.

Sgt. Williams: What I'm hearing you say is, in your mind, you recognized the conflict of her statements, but you were giving her the benefit of the doubt that somehow she must have known?

Off. Thompson: Yeah. I ... obviously there was a conflict there. I was giving her the benefit of the doubt that she ran it, and saw it, but hadn't confirmed it. Maybe she wasn't comfortable with running the system, maybe saw it, and wanted a confirmation. It was my belief that that wasn't the case.

Sgt. Williams: Okay. Then, you ... did you ... I think you told me. Did you ever talk to Officer Sisco further about the probable cause for the stop?

Off. Thompson: No.

Sgt. Williams: You did not talk to Officer Torres about the probable cause for the stop?

Off. Thompson: No.

Off. Thompson interview transcript (5-9-13)

Sgt. Williams: Later, you talked to Officer Burns about this stop, because you were bothered by the conflict?

Off. Thompson: Yeah, and some other conversations Burns and I had about Sisco. It was more personal issues, but ...

Sgt. Williams: Okay. When you talked to Officer Burns, Officer Burns was not aware of this traffic stop, or the probable cause for this stop, but you informed her of the conflict, and you said she wasn't surprised.

Off. Thompson: Correct.

Sgt. Williams: All right. Then, did you talk to any other officers, or departmental members, regarding the conflict that you observed from Officer Sisco?

Off. Thompson: Yeah, I talked to Sergeant Beronda about it. I didn't ... it's not like I was going there to call her out, but we go and get drinks after briefing. That sounds like we're going to get cocktails, or something, but no. We'll get iced tea. He gets iced tea. I get Coke. We talked about training issues a lot, because there are a lot of people on our shift that don't have a lot experience, and so I brought that up. I didn't know what she put in the report at the time, obviously, so he saw the conflict there.

Sgt. Williams: Okay. When you ... you read the report just minutes before we started the interview. Had you read this report, or seen this report, before I showed it to you?

Off. Thompson: No.

Sgt. Williams: Okay.

Off. Thompson: I wanted to, but never did.

Sgt. Williams: Why did you want to?

Off. Thompson: I just wanted to see what was in there, because it's ... it was interesting to me, just how everything went down.

Sgt. Williams: Okay. Do you have any questions? Go for it?

Lt. Mendes: Matt, I'm going to take you back, just a little bit.

Off. Thompson: Okay.

Off. Thompson interview transcript (5-9-13)

Lt. Mendes: With respect to some of the statements you made, how many years have you been a police officer now?

Off. Thompson: Including the academy, a little over two-and-a-half years.

Lt. Mendes: Although two-and-a-half years may not seem a lot compared to someone with 30 years, at the time of this incident, you were assigned to E-2. Is that correct?

Off. Thompson: That's correct.

Lt. Mendes: The E-2 watch generally doesn't have people that are very senior, just based off of our process of bidding. Is that correct?

Off. Thompson: Correct.

Lt. Mendes: Even with two-and-a-half years on, you're considered somewhat a senior officer.

Off. Thompson: Yeah.

Lt. Mendes: There are a few people that have more seniority than you, but there are a lot of people that have less seniority.

Off. Thompson: Correct.

Lt. Mendes: Is that fair? Okay. You mentioned earlier that you have special skills, that those special skills are the fact that prior to being a police officer you were a dispatcher here.

Off. Thompson: That's right.

Lt. Mendes: You were a successful dispatcher. Is that correct?

Off. Thompson: I guess that's up to interpretation, but I'd hope so.

Lt. Mendes: You had standard, or above standard, performance evaluations, and no real complaints from your supervisors.

Off. Thompson: Correct.

Lt. Mendes: When you were in dispatch, you had times when you were assigned to work inquiry.

Off. Thompson: Correct.

Off. Thompson interview transcript (5-9-13)

Lt. Mendes: Inquiry is a frequency that does all the queries for people who are on Fourth Waiver, wants warrants, vehicle license, vehicle registrations, etc. Is that correct?

Off. Thompson: Correct.

Lt. Mendes: Is it fair to say that you're pretty proficient with all of the computer systems that are needed to run those systems?

Off. Thompson: Yes.

Lt. Mendes: Okay. In fact, if you had to guess, would you say that you probably have better skills than most of the people on your watch as far as speed is concerned?

Off. Thompson: Yes.

Lt. Mendes: When you approached on the scene ...

Off. Thompson: That includes dispatch. Sorry. That's why officers have me run their stuff for them.

Lt. Mendes: All right. When you came up on the scene, you had told Sergeant Williams that Officer Torres was visually covering the passenger, and Officer Sisco had the driver out, and was conducting either some type of search, preparing for handcuffing, or something like that. Although you don't know what happened at the time of the stop, would it make sense to you, from a safety perspective, to go into the car and run someone after you've made this stop with no control over either the driver or the passenger?

Off. Thompson: No.

Lt. Mendes: It doesn't make sense that you would abandon the people that you were supposed to be watching, to go back and run an inquiry.

Off. Thompson: Correct.

Lt. Mendes: All right.

Off. Thompson: Are you talking if I'm the primary officer?

Lt. Mendes: Yes. You talked to ... you had also told Sergeant Williams about ... you said that Officer Burns had some trust issues with respect to Officer Sisco, and then later ... on follow-up, you talked about some personal issues. Now that Sergeant

Off. Thompson interview transcript (5-9-13)

Williams and I have asked you questions about this specific incident, was there anything else that was specific or similar to this type of activity that you and Officer Burns talked about, outside of this stop?

Off. Thompson: No. It was ... yeah ... it was ...

Lt. Mendes: It was personal, and not business.

Off. Thompson: Correct.

Lt. Mendes: Okay. That's it.

Sgt. Williams: How long were you a dispatcher for the Carlsbad PD?

Off. Thompson: About three-and-a-half years, approximately.

Sgt. Williams: Okay. I don't have anything else. Do you have anything else about this incident that you think we should know about that I haven't asked you about?

Off. Thompson: Not that I can think of.

Sgt. Williams: Okay. I have no further questions at this time. On behalf of the Chief of Police, I am ordering you not to disclose anything we discussed during this interview, or anything regarding this investigation with anyone. However, you may speak with legal counsel should you choose to consult an attorney. Disclosure of anything we discussed during this interview would be considered insubordination, and by itself, would subject you to disciplinary action up to, and including, termination. Officer Off. Thompson, do you understand?

Off. Thompson: I do.

Sgt. Williams: This order will remain in effect, indefinitely, due to the nature of this investigation. This concludes the interview. The time is now 4:32 p.m. I will turn off the tape.

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Sgt. Williams: I am Sgt. Williams, and I am the officer in charge of this investigation for the Carlsbad Police Department. Today's date is May 9, 2013, and the current time is 4:42 p.m. We are in my office at the Carlsbad Police Station. Lt. Mendes is also present and will be assisting with this interview. Present at this interview is Officer Michael Torres. Officer Derrick Harvey is also present and is being permitted to act as your representative. The interview is being recorded by me and also being recorded by Office Harvey.

The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor and authored either a false or inaccurate police report related to an incident that occurred on March 14, 2013. Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview, and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer, per the Peace Officer Bill of Rights. Officer Torres, do you understand what I just read you?

Off. Torres: Yes.

Sgt. Williams: Do you have any questions regarding what I read?

Off. Torres: No.

Sgt. Williams: Before we begin the recording, I had you read the arrest report that was written by Officer Sisco on March 14, 2013, case number 13-01544. It's a traffic stop that led to a DUI arrest, drug arrest. Do you remember that incident?

Off. Torres: Yeah.

Sgt. Williams: Looking at the CAD, it looks like you served as a cover officer?

Off. Torres: Yes.

Sgt. Williams: On the incident do you remember what drew you to the incident? Were you there when the stop was made or were you dispatched to cover, or did you just hear it and go?

Off. Torres: I believe I was dispatched or I was enroute all ready, because I heard the traffic stop go out, so generally I would go to a cover if I hear a traffic stop when I'm near, I'll just start heading that way.

Sgt. Williams: Are you sure you weren't there when she made the stop?

Off. Torres: Oh, positive.

Sgt. Williams: When you first arrived on scene, were you over by the Flippin' Pizza area?

Off. Torres: Yes.

Sgt. Williams: What did you see when you first got on scene? What was going on?

Off. Torres: I saw Officer Thompson and Sisco. I believe the subjects were already on the curb, already exited the vehicle.

Sgt. Williams: Are you sure Officer Thompson was there when you got there?

Off. Torres: I am pretty sure I was the third one on scene. I remember him being there. I am thinking that he was already there.

Sgt. Williams: Okay. In your mind you remember him being there?

Off. Torres: I definitely remember him being there, absolutely.

Sgt. Williams: When you first got there?

Off. Torres: I think so.

Sgt. Williams: Looking at the CAD, it shows she made the traffic stop at 21:03, and it shows you on scene at 21:07, and the CAD shows Officer Thompson showing up on scene at 21:08. Do you remember, when you arrived at this location, did you press the button on your computer to show you were on scene, or did you tell Dispatch you were there or ...

Off. Torres: I would definitely. I normally press the button, but I'm trying to think back, like I don't remember. I remember him being there, and I remember me getting there, but I could have sworn he was there before me, but I could be wrong. I mean it was routine, it wasn't like a ... so I didn't think much of it.

Sgt. Williams: You said you think both of the suspects were on the curb when you got there?

Off. Torres: I think so, because I do remember I provided, I was like the security pretty much the whole time I remember just standing there with both of them, and I was chatting with them, so that's all I remember.

Sgt. Williams: You were chatting with ...

Off. Torres: The people on the curb, the ...

Sgt. Williams: The two suspects?

Off. Torres: Right.

Sgt. Williams: Did you know the two suspects?

Off. Torres: I do not.

Sgt. Williams: Had you ever dealt with them before?

Off. Torres: No.

Sgt. Williams: Their names are; the male was [REDACTED] Does that name ring a bell as somebody you've ever dealt with before this incident?

Off. Torres: Mm-mm (No).

Sgt. Williams: The female was [REDACTED] Have you ever dealt with her?

Off. Torres: No, I don't think so.

Sgt. Williams: When you saw them, you didn't recognize them?

Off. Torres: No.

Sgt. Williams: At any point during the time you were on the scene, did Officer Sisco ever tell you what she stopped the people for?

Off. Torres: No. One thing we discussed, I remember there was drugs, and then we were asking about the penal, what section, she was asking what section that they would fall under.

Sgt. Williams: What certain drugs would fall under?

Off. Torres: Right.

Sgt. Williams: Like after she found them?

Off. Torres: Yeah.

Sgt. Williams: Did you ever ask, or did she ever tell you, why she stopped these people?

Off. Torres: No, we didn't talk about that stuff.

Sgt. Williams: Do you remember when you were talking to the male or the female suspect if they ever told you what they were stopped for?

Off. Torres: No. I mean the only thing I was asking, I knew they like 4th waiver, and I was asking about the drug stuff, like, "How long have you used?" and that kind of thing.

Sgt. Williams: How did you know they were on 4th waiver?

Off. Torres: Because I remember checking the CAD, prior, when the Code 1 came out, and that's how I remember that, but as far as like me figuring out what was ... You know it wasn't my call, so I was just there as security.

Sgt. Williams: If you remember, do you remember if you found out that these people were, or one or both of them, were on 4th waiver probation, did you learn that from Office Sisco? Did you learn that from reading the CAD or did you hear that over the radio?

Off. Torres: I'll be honest, I don't remember how. I mean I didn't think nothing of it, I mean I don't remember if I heard it from the radio or someone told me. I really don't remember.

Sgt. Williams: Who else. Did anyone else show up on scene of that traffic stop other than you, Officer Thompson and Officer Sisco?

Off. Torres: Not to my knowledge.

Sgt. Williams: Do you ever remember the female, hearing the female suspect say that she was stopped or that they were stopped for failing to use a turn signal?

Off. Torres: No.

Sgt. Williams: You don't remember that?

Off. Torres: No.

Sgt. Williams: If she would have said that to you, would you have remembered it, or is that not significant to you?

Off. Torres: Not really significant, I wouldn't even have thought anything of it.

Sgt. Williams: At any point after this traffic stop, at any point after the time you got there, or even days later, did you ever talk to Officer Sisco about this traffic stop?

Off. Torres: No.

Sgt. Williams: Did you talk to anyone else about this traffic stop, any other officer?

Off. Torres: Yes. Officer Burns kind of mentioned that she had heard that it was something kind of weird about it but really left it like very, without really anything, nothing really said. It was kind of like, "Hey, you know, I heard that something kind of went on hinky on that traffic stop." I didn't even know what traffic stop it was, and that's all I know.

Sgt. Williams: How do you know that it was this traffic stop?

Off. Torres: I don't know. I remember we were just talking, and when everything kind of ... she said, referred to a traffic stop, and I remember her telling me, kind of mentioning it to me about it, and then that was all I remember. We didn't really talk about it and never went into detail about it.

Sgt. Williams: She tell you what was hinky?

Off. Torres: No.

Sgt. Williams: Did anyone else talk to you about this traffic stop?

Off. Torres: No.

Sgt. Williams: Did you talk to anyone else about this traffic stop?

Off. Torres: No.

Sgt. Williams: My understanding is that you ... Have you heard from anyone, either Officer Sisco or anyone else, what led Officer Sisco to make this traffic stop?

Off. Torres: No.

Sgt. Williams: Let me just tell you what I'm hearing you say, and let me know if I'm misunderstanding it. You either got dispatched to cover or you heard the traffic stop and responded to cover on your own, and when you got at the scene of the traffic stop, you believe that Officer Thompson was there, but you're not sure, or you remember him being at the stop.

Off. Torres: Right.

Sgt. Williams: You believe that both suspects were sitting on the curb already.

Off. Torres: I believe so.

Sgt. Williams: But you're not positive.

Off. Torres: No.

Sgt. Williams: That you acted more as a security cover officer during the stop, and you did engage in conversation with the suspects, but you don't have any recollection of really what was said.

Off. Torres: No it was real small talk just to kind of keep them at ease , so we just, so I just rapped, you know not rapped, but talked with them.

Sgt. Williams: Then at some point during this stop, you learned that the suspects were on 4th waiver, and you don't remember if that came from Officer Sisco or it came from reading the CAD or if it came over the radio, you don't remember.

Off. Torres: I don't remember.

Sgt. Williams: Then later, after the drugs were found, you remember having a conversation with Officer Sisco about what the appropriate sections to charge them ...

Off. Torres: Right.

Sgt. Williams: For. Then after this traffic stop, do you remember how much after or when it was that you talked to Officer Burns about it?

Off. Torres: Not really, no. Like I say, the conversation was very, like vague. There was nothing really said, but I do remember kind of saying you know something about it being hinky about a traffic stop, but I didn't even know what traffic stop she was talking about.

Sgt. Williams: You say hinky?

Off. Torres: Hinky.

Sgt. Williams: Okay. Did Officer Burns seek you out, or did you seek her out?

Off. Torres: There was no seeking. We just happened to be car to car one night.

Sgt. Williams: I guess my question is this. Did you bring up this traffic stop or the stop, this stop and mention it to Officer Burns' as being hinky ...

Off. Torres: Oh no.

Sgt. Williams: Or did Officer Burns mention it to you that she had heard it was hinky?

Off. Torres: Right.

Sgt. Williams: LT, you got anything else?

Lt. Mendes: Yes, just a couple of things. Let me look at that.

Just a couple of questions Mike.

Off. Torres: Sure.

Lt. Mendes: You told Sgt. Williams that your job was to essentially be the cover officer in this case, and you talked about making small talk with the two subjects that were on the curb.

Off. Torres: Correct.

Lt. Mendes: That's kind of part of your job is to distract them so that the primary officer can get their business done.

Off. Torres: Correct.

Lt. Mendes: Do you remember if both or just the driver was arrested?

Off. Torres: I don't even remember who was arrested to be honest with you.

Lt. Mendes: Do you remember after the arrest was being made the plethora ... well, it's routine to have, especially in a deuce arrest, a plethora of paperwork that goes along with it, the property bag, the fish slip, the arrest report, the probable cause slip, and whatever else, the impound. Do you remember helping her fill out any of these forms or did you just say, "Here you go, have a good night."

Off. Torres: No, I definitely, I would have helped, I help everybody, so I would say, I definitely probably did, I can't definitely say, but I'm pretty sure, I probably helped with the booking slip. I mean that's just routine of what we do, but I didn't see this any different than any other one.

Off. Torres interview transcript 5-9-13

Lt. Mendes: Right, but you don't specifically remember filling out any of the paperwork for her?

Off. Torres: I can't say specifically, and honestly I don't for sure 100% know.

Lt. Mendes: That's all I got.

Sgt. Williams: Okay, is there anything else about this incident that you think is significant that we should know about?

Off. Torres: No.

Sgt. Williams: Okay. I have no further questions at this time. On behalf of the Chief of Police, I am ordering both of you not to disclose anything we discussed during this interview or anything regarding this interview with anyone other than each other; however, you may speak with legal counsel should you choose to consult an attorney. Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action up to and including termination. Officer Torres, do you understand?

Off. Torres: Yes.

Sgt. Williams: This order will remain in effect indefinitely due to the nature of this investigation. This concludes the interview. The time is now 4:55 p.m., and I'll turn the tape off.

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Sgt. Williams: I'm Sargent Williams, I'm the officer in charge of this investigation for the Carlsbad Police Department. Today's date is May 9, 2013. The current time is approximately 5:04 PM. We are in my office at the Carlsbad Police Station, Lieutenant Mendes is also present and will be assisting with this interview. Present at this interview is Officer Justin Richards who is alone. This interview is being recorded. The purpose of this interview is discuss an allegation of misconduct against Officer Terrance Sisco on March 14, 2013 specifically it is alleged Officer Sisco provided false information to her supervisor and offered either a false or inaccurate police report related to an incident that occurred on March 14, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness I will stop the interview and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights. Officer Richards do you understand what I just read you?

Off. Richards: Yes.

Sgt. Williams: Do you have any questions regarding what I read?

Off. Richards: No.

Sgt. Williams: Before the interview began I had you read the arrest report that was authored by Officer Sisco documenting this traffic stop that we want to talk about that led to a DUI arrest, Carlsbad case 13-01544. Tell me what you remember if anything about this incident.

Off. Richards: All I remember is hearing it on the radio and the name [REDACTED] specifically was familiar to me and it ended up being a different [REDACTED] but I had looked it up on SD Law to see if that person had been arrested as I do commonly when I hear people's names. That's pretty much all I remember about that.

Sgt. Williams: There was two people that were ran on this traffic stop. One was [REDACTED] which was a male and there was a female by the name of [REDACTED] Do you remember which one, do you remember or have a recollection on which one sounded familiar?

Off. Richards: I think [REDACTED] sounded familiar at the time.

Sgt. Williams: [REDACTED]

Off. Richards interview transcript (5-9-13)

Off. Richards: Oh no it was [REDACTED].

Sgt. Williams: What made you think that it sounded familiar?

Off. Richards: There's a girl down in La Costa, her name is [REDACTED] or [REDACTED] or something like that. It stood out from working the eight beat it sounded familiar.

Sgt. Williams: Did you ever arrive on scene of this traffic stop that was conducted by Officer Sisco?

Off. Richards: No.

Sgt. Williams: Did you ever talk to Officer Sisco about this traffic stop?

Off. Richards: No not that I recall.

Sgt. Williams: Did you ever talk to Officer Sisco about [REDACTED]?

Off. Richards: Not that I remember.

Sgt. Williams: What about did you talk about Officer Sisco about [REDACTED]?

Off. Richards: No, I might have asked what she got like on the stop if she, just out of curiosity.

Sgt. Williams: After the stop you mean?

Off. Richards: Yeah, I'll ask, "What did you get out of it" or something like that but I don't even remember doing that.

Sgt. Williams: Did you talk to anyone else in the department about Officer Sisco's stop, this stop?

Off. Richards: No. I know Thompson was there but I don't remember talking to anybody about it.

Sgt. Williams: Did you talk to Officer Thompson about it?

Off. Richards: Not anything about this stop. I probably asked him the same thing if I didn't get a response from Sisco in regards to what she got, just curiosity.

Sgt. Williams: Are you aware that you've arrested [REDACTED] before?

Off. Richards: That may have been why that sounded familiar. I don't remember looking up what or who and I don't remember the results of it. It's been, I'd say awhile.

Off. Richards interview transcript (5-9-13)

Sgt. Williams: It looks like you've conducted three EJIMS increase on to [REDACTED] at about 21:15 hours and the stop was made at 21:03.

Off. Richards: [REDACTED] is the car registered to her?

Sgt. Williams: Yeah.

Off. Richards: That might have been why. Like I said I don't remember exactly what it was or why I would have run it. I don't know she was running someone prior to or if I hear somebody run a plate or running somebody I'll look up what they've been arrested for and I'll just go through their booking history just to see if that's familiar to me or if I have any info that dispatch doesn't give them cause that seems to be the case sometimes.

Sgt. Williams: Did anyone ask you to do this inquires?

Off. Richards: No.

Sgt. Williams: Did you relay any information that you learned from these inquires to Officer Sisco or anyone else at the scene?

Off. Richards: I don't recall. I may have gotten on the radio and said, "Hey just so you know she has priors of this" or something like that because I've done that. If dispatch doesn't give their priors I'll just say "Just so you know they have some stuff for 11377 or 350" or whatever it is just out of and giving them a heads up because I like having that information if I'm on a stop and dispatch doesn't always give that. They may just say, "Hey their 11-29 negative fourth, with some priors." For me that's helpful.

Sgt. Williams: As far as Officer Sisco's concerned, I think you already told me you didn't relay any prior information before her traffic stop regarding these two people as people you recognized or any background information on them.

Off. Richards: Not unless she ran them and I overheard her running them. I don't remember though.

Sgt. Williams: You don't remember giving her any info?

Off. Richards: No.

Sgt. Williams: Do you now hearing the name [REDACTED], do you have a recollection of when you might have arrested her?

Off. Richards interview transcript (5-9-13)

Off. Richards: Not off the top of my head no.

Sgt. Williams: Okay.

Off. Richards: I'm sure once I saw a picture of her or something where I was looking at EJIMS I could probably tell you where or have an idea but I don't. Even still I don't know.

Sgt. Williams: What I'm hearing you say, let me know if I may have gotten any of this incorrect is over the radio you hear Officer Sisco during her traffic stop do an inquire on [REDACTED]. That name sounds familiar to you so on your own accord you type in EJIMS to see what you could learn from it. It looks like it was recorded at 21:15 which would have been about 12 minutes after the traffic stop and you never went on scene of the traffic stop.

Off. Richards: No.

Sgt. Williams: Did you ever talk to Officer Sisco about what led to the traffic stop?

Off. Richards: No.

Sgt. Williams: Did she ever tell you what led to the traffic stop? Did anyone ever tell you what led to the traffic stop?

Off. Richards: Not that I remember, no. I mean it's one traffic stop.

Sgt. Williams: I understand.

Off. Richards: I don't remember.

Sgt. Williams: Anything else? Okay. Is there anything else you can think of regarding this that I haven't asked you about that you think we should know?

Off. Richards: No, like I said I don't know a whole lot about it so I can't really say too much I guess.

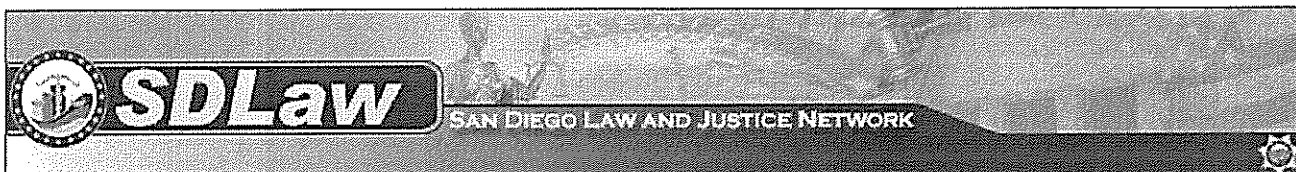
Sgt. Williams: Okay, I have no further questions at this time. On behalf of the Chief of Police I'm ordering you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone. However, you may speak with legal council should you choose to consult an attorney. Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action up to and including termination. Officer Richards do you understand?

Off. Richards: Yes.

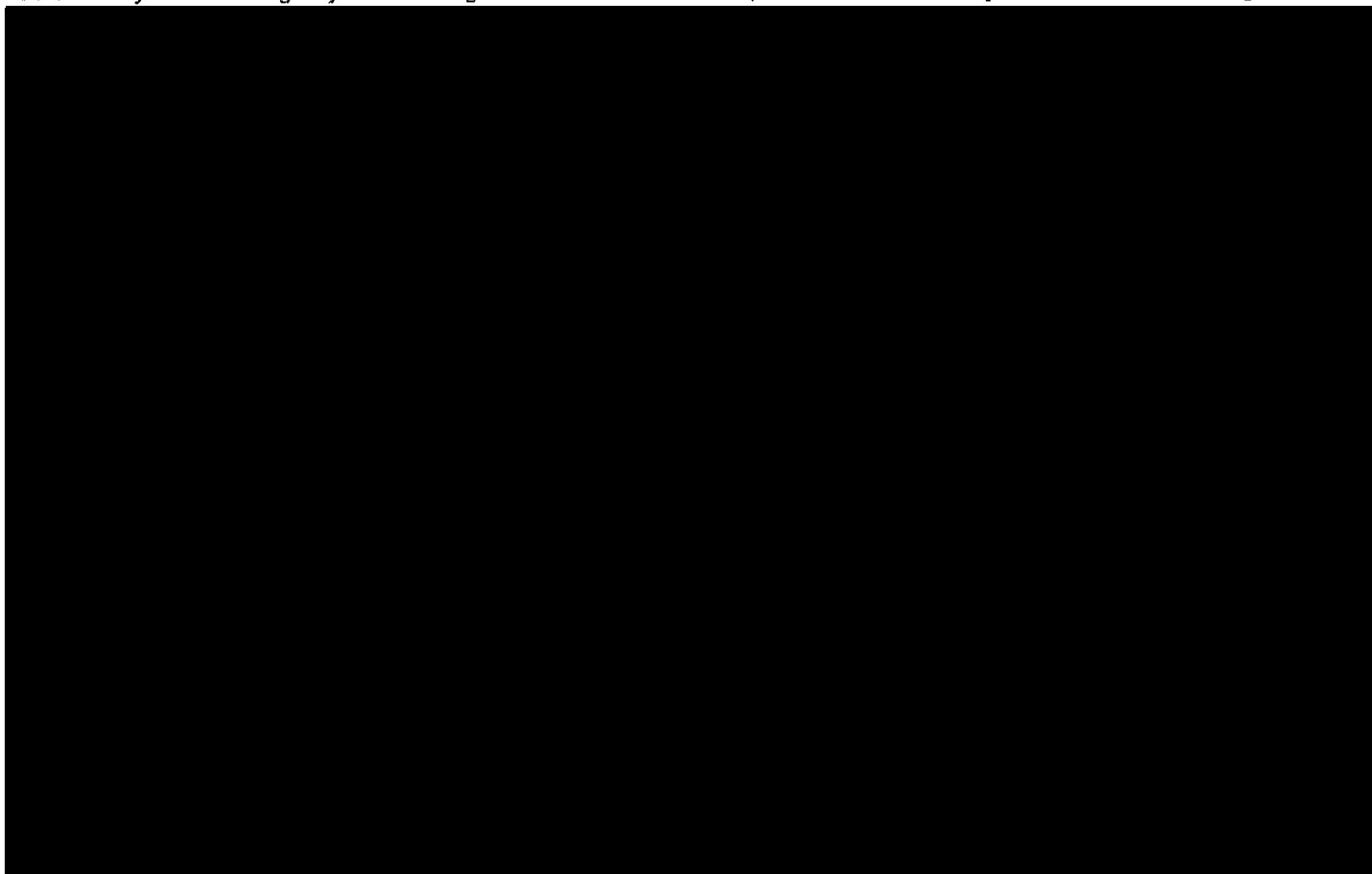
Off. Richards interview transcript (5-9-13)

Sgt. Williams: This order will remain in effect indefinitely due to the nature of this investigation. This concludes the interview. The time is now 5:13 PM. I'll turn the tape off.

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User: Mickey Williams Agency: CB Last Sign in: 4/26/2013 10:58:46 AM, [SDLaw Home](#) [My Profile](#) [Contact Us](#) [Sign Out](#)



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## Mickey Williams

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**From:** Ross, Amanda <Amanda.Ross@sdccda.org>  
**Sent:** Friday, April 26, 2013 2:12 PM  
**To:** Mickey Williams  
**Subject:** RE: [REDACTED]  
**Attachments:** 0603\_001.pdf

So I copied the entire left side of the court's file for you. I think the first Minutes is the one you are looking for but just in case, you now have everything.  
Anything we can do, please let us know.  
Thanks.

Amanda Ross  
Paralegal, North County Branch  
San Diego District Attorney's Office  
t: 760.806.4016  
f: 760.806.4161  
[amanda.ross@sdccda.org](mailto:amanda.ross@sdccda.org)

---

**From:** Mickey Williams [<mailto:Mickey.Williams@carlsbadca.gov>]  
**Sent:** Friday, April 26, 2013 11:02 AM  
**To:** Ross, Amanda  
**Subject:** [REDACTED]; [REDACTED]; [REDACTED]

Thanks my cell is [REDACTED]



Mickey Williams  
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F: 760-931-8473  
[mickey.williams@carlsbadca.gov](mailto:mickey.williams@carlsbadca.gov)

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

**Substance Abuse Assessment Unit - Addendum to Minutes**

☐ Central Division, 220 W. Broadway, San Diego, CA 92101  
☐ East County Division, 1000 La Jolla Village Drive, San Diego, CA 92037

☒ North County Division, 325 S. Melrose Dr., Suite 500, Vista, CA 92081  
☐ South County Division, 500 3rd Ave., Chula Vista, CA 91910

PEO. VS. [REDACTED]

CASE # [REDACTED]

DATE 3/29/13 CHARGE(S) 18 HS 11377(a) 1764 ☐ VACATE ☐ CONFIRM

- ☐ Defendant failed to appear/comply: \_\_\_\_\_  
☐ Commit warrant ordered, no bail, for \_\_\_\_\_ days. Schedule the defendant for court.  
☐ Bench warrant ☐ ordered, bail set at \$ \_\_\_\_\_ ☐ rescinded ☐ recalled by \_\_\_\_\_ ☐ cleared by arrest on \_\_\_\_\_ by \_\_\_\_\_  
☐ Held to date set below. ☐ Mandatory Appearance Required. ☐ Night Service Authorized. ☐ Warrant issued on \_\_\_\_\_ by \_\_\_\_\_

☒ **PROBATION IS** ☐ REVOKED ☐ REINSTATED ☐ TERMINATED ☒ CONTINUED ☒ MODIFIED as indicated below  
☐ EXTENDED TO: \_\_\_\_\_ ☒ SAME TERMS & CONDITIONS

**DEFENDANT, HAVING BEEN REFERRED TO THE SUBSTANCE ABUSE ASSESSMENT UNIT (SAAU), IS HEREBY ORDERED TO FOLLOW THE CONDITIONS LISTED BELOW, AS RECOMMENDED BY THE SUBSTANCE ABUSE ASSESSOR:**

**PROGRAMS** ☐ Re-referral/Extension ☒ ATTEND AND COMPLETE THE FOLLOWING COURT ORDERED PROGRAMS:

- ☐ First Conviction Program (FCP) for \_\_\_\_\_ months ☐ 12 Hour ED ☐ Multiple Conviction Program (MCP) ☐ STAR  
☐ Enroll by \_\_\_\_\_ ☐ MADD Impact Panel

☒ Inpatient/Outpatient/Detoxification treatment at: Comply w/ Workman's Compain recommendations

☐ Self-help meetings \_\_\_\_\_ each day / week / month for \_\_\_\_\_ Total meetings: \_\_\_\_\_ ☐ Show/mail proof to court by: \_\_\_\_\_

☐ Anger Management Program ☐ Individual Counseling ☐ Sex Offender Counseling ☐ Parenting Classes ☐ Child Abuse Classes

☐ Domestic Violence Program at: \_\_\_\_\_

☐ Out of county/state provider authorized: \_\_\_\_\_

**SUBMIT** ☐ TO DRUG TESTING: ☐ hair follicle ☐ random urinalysis ☐ Other: \_\_\_\_\_

☐ Proof of ☐ HS11590 ☐ PC290 REGISTRATION to the court by: \_\_\_\_\_

☐ PC1202.1 HIV TESTING results to the court by: \_\_\_\_\_ ☐ PC1001.10 HIV EDUCATION completion to the court by: \_\_\_\_\_

**PUBLIC SERVICE** ☐ Re-referral granted. ☐ Defendant must complete \_\_\_\_\_ days of Public Service Program.

☐ Report/Enroll by: \_\_\_\_\_ ☐ You must call (858) 560-3258 within 72 hours. ☐ Out of county authorized.

☐ Defendant must complete \_\_\_\_\_ hours of Volunteer Work. Proof of completion is due to the court by: \_\_\_\_\_

**OTHER** As per prior SAAU order.

☒ Proof of app't w/ Dr. on March 29, 13 ☐ shown. ☒ filed. ☐ condition satisfied.

☐ THE DEFENDANT IS ORDERED TO APPEAR IN COURT on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ for \_\_\_\_\_  
☒ Report to the SAAU OFFICE for monitoring on 4-29-13 at 8:30 for Litter from Doctor  
☐ Proof of ☐ enrollment due by \_\_\_\_\_ ☐ completion due by \_\_\_\_\_ ☐ due to the court by MAIL  
For: ☐ FCP ☐ MCP ☐ Domestic Violence ☐ Anger Management ☐ Drug Treatment Program ☐ Self-help meetings ☐ Volunteer Work  
☐ Other: \_\_\_\_\_ ☐ MADD completion due by \_\_\_\_\_

Name: [REDACTED]

Defendant's Signature: \_\_\_\_\_

Address: [REDACTED]

Defendant's Phone Number: \_\_\_\_\_

City: San Marcos State: CA Zip: 92054

By Order of the Presiding Judge/Assessor/Clerk Signature: [Signature]

Distribution by: \_\_\_\_\_ on \_\_\_\_\_ to: ☒ DEFT ☐ ATTY ☐ FCP/MCP ☐ PROBATION ☐ PSP ☐ \_\_\_\_\_

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
Substance Abuse Assessment Unit - Addendum to Minutes

☐ Central Division, 220 W. Broadway, San Diego, CA 92101  
☐ East County Division, 250 E. Main, El Cajon, CA 92020

☒ North County Division, 325 S. Melrose Dr., Suite 500, Vista, CA 92081  
☐ South County Division, 500 3rd Ave., Chula Vista, CA 91910

PEO. VS. [REDACTED] CASE # [REDACTED]

DATE 2-28-13 CHARGE(S) 1) HS11377(a) 1764 ☐ VACATE ☐ CONFIRM

☐ Defendant failed to appear/comply: \_\_\_\_\_  
☐ Commit warrant ordered, no bail, for \_\_\_\_\_ days. Schedule the defendant for court.  
☐ Bench warrant ☐ ordered, bail set at \$ \_\_\_\_\_ ☐ rescinded ☐ recalled by \_\_\_\_\_ ☐ cleared by arrest on \_\_\_\_\_ by \_\_\_\_\_  
☐ Held to date set below. ☐ Mandatory Appearance Required. ☐ Night Service Authorized. ☐ Warrant issued on \_\_\_\_\_ by \_\_\_\_\_

☒ PROBATION IS ☐ REVOKED ☐ REINSTATED ☐ TERMINATED ☒ CONTINUED ☒ MODIFIED as indicated below  
☐ EXTENDED TO: \_\_\_\_\_ ☒ SAME TERMS & CONDITIONS

DEFENDANT, HAVING BEEN REFERRED TO THE SUBSTANCE ABUSE ASSESSMENT UNIT (SAAU), IS HEREBY ORDERED TO FOLLOW THE CONDITIONS LISTED BELOW, AS RECOMMENDED BY THE SUBSTANCE ABUSE ASSESSOR:

PROGRAMS ☒ Re-referral/Extension ☒ ATTEND AND COMPLETE THE FOLLOWING COURT ORDERED PROGRAMS:

☐ First Conviction Program (FCP) for \_\_\_\_\_ months ☐ 12 Hour ED ☐ Multiple Conviction Program (MCP) ☐ STAR

☐ Enroll by \_\_\_\_\_ ☐ MADD Impact Panel

☒ Inpatient/Outpatient/Detoxification treatment at: Comply w/ workman Comp Pain Dr regarding

☐ Self-help meetings \_\_\_\_\_ each day / week / month for \_\_\_\_\_. Total meetings: \_\_\_\_\_ ☐ Show/mail proof to court by: never

☐ Anger Management Program ☐ Individual Counseling ☐ Sex Offender Counseling ☐ Parenting Classes ☐ Child Abuse Classes

☐ Domestic Violence Program at: \_\_\_\_\_

☐ Out of county/state provider authorized: \_\_\_\_\_

☐ \_\_\_\_\_

SUBMIT ☐ TO DRUG TESTING: ☐ hair follicle ☐ random urinalysis ☐ Other: \_\_\_\_\_

☐ Proof of ☐ HS11590 ☐ PC290 REGISTRATION to the court by: \_\_\_\_\_

☐ PC1202.1 HIV TESTING results to the court by: \_\_\_\_\_ ☐ PC1001.10 HIV EDUCATION completion to the court by: \_\_\_\_\_

☐ \_\_\_\_\_

PUBLIC SERVICE ☐ Re-referral granted. ☐ Defendant must complete \_\_\_\_\_ days of Public Service Program.

☐ Report/Enroll by: \_\_\_\_\_ ☐ You must call (858) 560-3258 within 72 hours. ☐ Out of county authorized.

☐ Defendant must complete \_\_\_\_\_ hours of Volunteer Work. Proof of completion is due to the court by: \_\_\_\_\_

OTHER Court will accept 6 months of Med Management

compliance (per prior SAAU decision)

☐ Proof of \_\_\_\_\_ ☐ shown. ☐ filed. ☐ condition satisfied.

☐ THE DEFENDANT IS ORDERED TO APPEAR IN COURT on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ for: \_\_\_\_\_

☒ Report to the SAAU OFFICE for monitoring on 3-28-13 at 8:30 for Briana Litter from Doc.

☐ Proof of ☐ enrollment due by \_\_\_\_\_ ☐ completion due by Litter ☐ due to the court by MAIL

For: ☐ FCP ☐ MCP ☐ Domestic Violence ☐ Anger Management ☐ Drug Treatment Program ☐ Self-help meetings ☐ Volunteer Work

☐ Other: \_\_\_\_\_ ☐ MADD completion due by \_\_\_\_\_

Name: [REDACTED] Defendant's Signature: [REDACTED]

Address: [REDACTED]

City: Del Mar State: CA Zip: 92051 Defendant's Phone Number: [REDACTED]

By Order of the Presiding Judge/Assessor/Clerk Signature: [Signature]

Distribution by: \_\_\_\_\_ on \_\_\_\_\_ to: ☒ DEFT ☐ ATTY ☐ FCP/MCP ☐ PROBATION ☐ PSP ☐ \_\_\_\_\_

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

- ☐ CENTRAL DIVISION, COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101  
☐ CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101  
☐ CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123  
☒ EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020  
☐ EAST COUNTY DIVISION, RAMONA, 1428 MONTECITO RD., RAMONA, CA 92065  
☒ NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081  
☐ SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910

**ION UNIT ADDENDUM TO MINUTES**

PEOPLE VS. [REDACTED]

CASE NO. [REDACTED]

DATE 01-11-13 CHARGE(S) 1) HS11377 (a) 17(b)(4)

You have been ordered to pay a fine/fees/assessment/costs, and have been referred to the Court Collection Unit regarding payment. You must comply with the terms indicated below.

This addendum only addresses the court-ordered fine/fees/assessment/costs, and does not modify or negate any other terms or conditions imposed by the court.

Defendant has been ordered by the court to pay a fine, including fees and assessments of \$ 585.

**Defendant to pay fine:**

- ☐ \$ \_\_\_\_\_ forthwith.  
☐ \$ \_\_\_\_\_ including accounts receivable fee, due by \_\_\_\_\_.  
☒ \$ 585 including installment fee, payable at the rate of \$ 25 per month on the 1474  
 of each month commencing 02-14-13 until paid in full.

Public Service Program ☐ \$ \_\_\_\_\_ converted to \_\_\_\_\_ days Public Service Program.

☐ ENROLL / REPORT BY \_\_\_\_\_ at \_\_\_\_\_ ☐ CALL (858) 560-3258 within 72 hours.

Volunteer Work ☒ \$ 92.50 converted to 23.4 hours of volunteer work to be done at any non-profit agency.

Proof of completion is due to the court on 03-14-13 at \_\_\_\_\_ a.m./p.m. Dept. \_\_\_\_\_

☐ \_\_\_\_\_ of \_\_\_\_\_ days/hours of Public Service Program/Volunteer Work completed. Balance of  
 \_\_\_\_\_ days/hours converted back to fine \$ \_\_\_\_\_. See above for payment due dates.

☐ Other: \_\_\_\_\_

**MAKE CHECKS PAYABLE TO CLERK OF SUPERIOR COURT AND SEND PAYMENTS TO THE ADDRESS CHECKED ABOVE--OR--  
 PAY ONLINE OR BY PHONE WITH THE COURT'S ONLINE PAYMENT SYSTEM AT [WWW.SDCOURT.CA.GOV](http://WWW.SDCOURT.CA.GOV) OR (619) 906-5888.**

**IMPORTANT:** Failure to comply and/or pay the court-ordered fine may result in a civil penalty of up to \$300 being imposed, and/or a warrant for your arrest. Additionally, license holds, suspensions, and new misdemeanor charges may be ordered.

I HAVE RECEIVED A COPY AND UNDERSTAND the above conditions.

[REDACTED] Telephone Number [REDACTED]  
 [REDACTED]  
 Defendant's Address City State Zip

Prepared and executed by: [Signature]  
 Court Collection Officer/Court Operations Clerk

Distribution: ☐ Orig. to file. cc: ☒ Defendant ☐ Probation Dept. ☐ Other \_\_\_\_\_

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
Substance Abuse Assessment Unit - Addendum to Minutes

☐ Central Division, 220 W. Broadway, San Diego, CA 92101  
☐ East County Division, 250 E. Main, El Cajon, CA 92020

☒ North County Division, 325 S. Melrose Dr., Suite 500, Vista, CA 92081  
☐ South County Division, 500 3rd Ave., Chula Vista, CA 91910

PEO. VS. [REDACTED]

CASE # [REDACTED]

DATE 1-14-13 CHARGE(S) HS 11377(A) 1764

☐ VACATE ☐ CONFIRM

- ☐ Defendant failed to appear/comply: \_\_\_\_\_  
☐ Commit warrant ordered, no bail, for \_\_\_\_\_ days. Schedule the defendant for court.  
☐ Bench warrant ☐ ordered, bail set at \$ \_\_\_\_\_ ☐ rescinded ☐ recalled by \_\_\_\_\_ ☐ cleared by arrest on \_\_\_\_\_ by \_\_\_\_\_  
☐ Held to date set below. ☐ Mandatory Appearance Required. ☐ Night Service Authorized. ☐ Warrant issued on \_\_\_\_\_ by \_\_\_\_\_  
☒ PROBATION IS ☐ REVOKED ☐ REINSTATED ☐ TERMINATED ☒ CONTINUED ☒ MODIFIED as indicated below  
☐ EXTENDED TO: \_\_\_\_\_ ☒ SAME TERMS & CONDITIONS

DEFENDANT, HAVING BEEN REFERRED TO THE SUBSTANCE ABUSE ASSESSMENT UNIT (SAAU), IS HEREBY ORDERED TO FOLLOW THE CONDITIONS LISTED BELOW, AS RECOMMENDED BY THE SUBSTANCE ABUSE ASSESSOR:

PROGRAMS ☐ Re-referral/Extension ☒ ATTEND AND COMPLETE THE FOLLOWING COURT ORDERED PROGRAMS:

- ☐ First Conviction Program (FCP) for \_\_\_\_\_ months ☐ 12 Hour ED ☐ Multiple Conviction Program (MCP) ☐ STAR  
☐ Enroll by \_\_\_\_\_ ☐ MADD Impact Panel

☒ Inpatient/Outpatient/Detoxification treatment at: Comply w Work Comp. Pain Doc regarding medication

- ☐ Self-help meetings \_\_\_\_\_ each day / week / month for \_\_\_\_\_ Total meetings: \_\_\_\_\_ ☐ Show/mail proof to court by: \_\_\_\_\_  
☐ Anger Management Program ☐ Individual Counseling ☐ Sex Offender Counseling ☐ Parenting Classes ☐ Child Abuse Classes  
☐ Domestic Violence Program at: \_\_\_\_\_

☐ Out of county/state provider authorized: \_\_\_\_\_

SUBMIT ☐ TO DRUG TESTING: ☐ hair follicle ☐ random urinalysis ☐ Other: \_\_\_\_\_

☐ Proof of ☐ HS11590 ☐ PC290 REGISTRATION to the court by: \_\_\_\_\_

☐ PC1202.1 HIV TESTING results to the court by: \_\_\_\_\_ ☒ PC1001.10 HIV EDUCATION completion to the court by: 2-28-13

PUBLIC SERVICE ☐ Re-referral granted. ☐ Defendant must complete \_\_\_\_\_ days of Public Service Program.

☐ Report/Enroll by: \_\_\_\_\_ ☐ You must call (858) 560-3258 within 72 hours. ☐ Out of county authorized.

☐ Defendant must complete \_\_\_\_\_ hours of Volunteer Work. Proof of completion is due to the court by: \_\_\_\_\_

OTHER Court will accept 6 mths of Med management compliance  
to satisfy treatment condition of this case

Letter to address state monitoring for pain management & what medication

☒ Proof of and what dosage, 3 Med. compliance as far as he knows.

☐ shown. ☐ filed. ☐ condition satisfied.

☐ THE DEFENDANT IS ORDERED TO APPEAR IN COURT on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ for: \_\_\_\_\_

☒ Report to the SAAU OFFICE for monitoring on 2-28-13 at 830 for Be present with Doctor letter.

☐ Proof of ☐ enrollment due by \_\_\_\_\_ ☐ completion due by \_\_\_\_\_ ☐ due to the court by MAIL

For: ☐ FCP ☐ MCP ☐ Domestic Violence ☐ Anger Management ☐ Drug Treatment Program ☐ Self-help meetings ☐ Volunteer Work

☐ Other: \_\_\_\_\_ ☐ MADD completion due by \_\_\_\_\_

Name: [REDACTED]

Defendant's Signature: \_\_\_\_\_

Address: [REDACTED]

Defendant's Phone Number: \_\_\_\_\_

City: Kelleyville State: TX Zip: 92054

By Order of the Presiding Judge/Assessor/Clerk Signature: \_\_\_\_\_

Distribution by: \_\_\_\_\_ on \_\_\_\_\_ to: ☒ DEPT ☐ ATTY ☐ FCP/MCP ☐ PROBATION ☐ PSP ☐

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Central ☒ North County Division ☒ South County Division ☐ Waivers: ☐ Time ☐ 4h  
 PEOPLE: ☐ Present ☐ Absent ☐ PROS. # ☐ DOB: ☐ CTS: ☐ days ☐ hrs.  
 DATE: 1-14-13 AT 10:00 DEPT. # 1 INTERP: 1 ☐ STIP. FILED ☐ REPORTER: ☐  
 JUDGE/COMM/TEMP JUDGE: A. Dr. Field ☐ Spanish ☐ Sworn ☐ Oath on File  
 CLERK: Michael CSR # / COUNTER #: 1

CHARGE(S): 1. HS 1137 (a) 116(A)  
 FUTURE DATES: 1-14-13 ☐ CONFIRMED ☐ VACATED

Attorney for the People (DCA / DCA / DAG) ☐ Supervised Cert. Legal Intern ☐ Attorney for Defendant (DCA / DCA / DAG) ☐ Supervised Cert. Legal Intern ☐  
 DEFENDANT: ☐ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

☐ Defendant waives arraignment for judgment. ☐ Composition ☐ Execution of sentence suspended for 3 year(s) on Ct. 1 and 1 year(s) on Ct. 1  
**PROBATION IS GRANTED** ☐ Summary ☐ Formal on the following conditions: ☐ DENIED and defendant sentenced as follows:  
☐ Violate no laws ☐ Minor or traffic violations are excepted ☐ No same or similar violations ☐ Comply with further conditions attached.

**CUSTODY** ☐ Commit to Sheriff for 1 days / hours ☐ days suspended. ☐ Serve FORTHWITH  
☐ Additional 1 days custody stayed pending: ☐ successful completion of probation ☐ review hearing ☐  
☐ Report on 1 at 1 to: Detention Facility: ☐ Central ☐ Las Colinas ☐ Vista ☐ Work Furlough  
☐ NO Early release (PC4018.6 or 4024.1) ☐ NO Work Release ☐ NO County Parole ☐ NO ESP/Home Detention  
☐ 1 days CUSTODY SATISFIED BY 1 days PSP ☐ days in ☐ residential rehabilitation program.  
☐ days CUSTODY IN LIEU OF \$ 1 fine at \$ 1 per day ☐ days PSP  
☐ Consecutive to 1 concurrent with 1 above commit ☐ Consecutive weekends.

DAYS CREDIT FOR TIME SERVED	
local	
PC4019 (24)	
PC4019 (22)	
PC4019(b)(1)(c)(1) (22)	
PC4019(b)(2)(c)(2) limited (24)	
total credit	

PAY ☐ Attorney Fees 100 ☐ Indigent as to Attorney Fees ☐ Fine below includes PA per PC1465.7(a)  
 Fine (Ct. 1) \$ 450 Crim. Just. Admin Fee (GC29550.1) \$ 1 AR/Installment Fee\* (PC1205(d)) \$ 1 **TOTAL DUE: \$1000**  
 Admin Screen Fee (PC1463.07) \$ 1 Court Oper. Assess\* (PC1465.8) \$ 1  
 Restitution Fine (PC1202.4(b)) \$ 100 Crim. Conv. Assess\* (GC70373) \$ 1 (Suspended Amount) \$ 500  
 Probation Revocation Restitution Fine imposed & suspended (PC1202.44) \$ 140 (Credit for 1 days served) \$ 500

☐ Payments set at \$ 1 per month beginning on 1 and on the 1 of each month thereafter until paid in full.  
☐ Fines and fees stayed pending ☐ successful completion of probation ☐  
 \*The court finds the defendant has the ability to repay the County of San Diego for costs of court appointed attorney fees (see reverse). \* This order is not a condition of probation.  
**RESTITUTION** ☐ Pay restitution to the victim of \$ 1 plus 10% annual interest on unsatisfied amount ☐ in an amount to be determined ☐ by  
 Probation, payments through ☐ Court Collections ☐ Revenue & Recovery ☐ at \$ 1 per month beg. ☐ directly to the victim and show  
 proof to the court ☐ by 1 at Review Hrg. ☐ See stipulated restitution order. ☐ Court retains jurisdiction re: restitution. ☐ Submit to civil process.  
☐ Return to court upon reasonable notice by prosecutor.

**PUBLIC SERVICE PROGRAM (PSP)** ☐ Enroll within 60 days.  
☐ Enroll by 1  
1 days as a condition of probation  
1 days as a condition of ☐ reduction ☐ dismissal  
1 days in lieu of ☐ fines/fees \$ 1 ☐ days custody  
1 days credit for time served/completed  
**TOTAL** days to be completed 1  
☐ One day per week ☐ Weekends only ☐ Out of county work authorized.

**VOLUNTEER WORK**  
☐ at any non-profit organization ☐ Other: 1  
☐ to be completed at an alcohol or drug treatment program or facility (BP2565B).  
1 hours as condition of probation.  
1 hours in lieu of ☐ fines/fees \$ 1 ☐ days ☐ custody ☐ PSP  
1 hours credit for time served/completed  
**TOTAL** hours to be completed 1

To run ☐ consecutive to ☐ concurrent with 1 Submit proof to the court by 1 ☐ days custody for each day/8 hrs missed.  
**ALCOHOL/DRUGS** ☐ Abstain from alcohol. ☐ Do not be in places where you know or law enforcement has informed you that alcohol is the main item for sale, except in the course of employment. ☐ Not knowingly use or possess any controlled substance without a valid prescription. ☐ Submit to any test at the request of a peace officer for detection of alcohol/drugs in system.

**FOURTH AMENDMENT WAIVER:** Submit person, vehicle, place of residence, property, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer. (to expire 1-13-2016)

**ENROLL IN & COMPLETE** ☐ Anti-theft ☐ Graffiti ☐ Anger Mgmt. ☐ Drug Ed. 101 - Fine on Ct. 1 will be deleted with proof of completion.  
☐ through 1 Individual Counseling ☐ wks ☐ mos. for 1  
☐ Residential ☐ Outpatient alcohol/drug treatment program ☐ Submit to ☐ Sheriff to administer ☐ HIV TEST per PC1202.1.  
☐ HIV/AIDS Education ☐ in custody ☐ as directed by Assessor. ☐ Attend 1 self-help meetings per 1 week 1 month for 1 days / months.  
☐ Out of County authorized. ☐ STAYED pending 1  
☐ Satisfied by residential rehabilitation ☐ concurrent ☐ consecutive ☐ Commence/continue education, psychological, psychiatric, drug, alcohol or other rehab. program recom. by the Assessor and not leave or terminate such program without written permission of the court and/or therapist.  
☐ Seek/maintain full-time employment, education, training, or a combination thereof. ☐ Submit ☐ TEST RESULTS ☐ proof of  
☐ ENROLLMENT ☐ PROGRESS ☐ COMPLETION ☐ by 1 to the ☐ Court ☐ at REVIEW HEARING(S) ☐ Assessment Unit  
☐ AND every 30 / 60 / 1 days THEREAFTER.

**DRIVER LICENSE** ☐ Do not drive without a valid license and liability insurance ☐ VC14607.6 advisal given. ☐ License is ☐ suspended ☐ revoked  
1 days / years. ☐ pursuant to ☐ VC13202(a)(b) (controlled substance) ☐ VC13202.5 (under 21) ☐ VC13202.6 (graffiti)  
☐ Surrender license to the court ☐ by 1 ☐ Deft. petitions for a restricted license. ☐ Critical need found. Petition is granted ☐ Petition is denied.  
☐ License is restricted for 1 days ☐ mos. Driving is permitted to/from ☐ work ☐ school ☐ court ordered activities ☐ in course of employment.

**VIOLENCE/WEAPONS** ☐ Do not use force or violence upon another. ☐ Do not knowingly have contact with any victim or complaining witness in this matter.  
☐ Do not knowingly own, transport, sell, or possess or control of weapons or firearms. ☐ Weapon(s) to be ☐ destroyed ☐ returned to 1  
☐ Defendant advised that within 10 years of this conviction, owning/possessing/having custody or control of any firearm is a crime pursuant to PC12021(d)(2).  
☐ Notice of firearm prohibition given per PC12021. ☐ Federal weapons advisal given.

**THEFT** ☐ PC666 theft advisal given. ☐ Not knowingly possess any ☐ burglary and/or vandalism tools. ☐ checks, except payroll or government checks made payable to you, or any credit cards. ☐ Do not knowingly take, hold, or receive property of another without written consent of the owner.

**MISC.** ☐ Stay 1 away from 1 ☐ Do not knowingly unlawfully enter the United States.  
☐ Register pursuant to ☐ HS11590 ☐ PC290 ☐ PC457.1. ☐ Provide DNA samples as directed by Sheriff or Probation Dept. (PC296).  
☐ All property impounded, seized, or held in custody in this case to be disposed of per possessing agency's policy.  
☐ People will not oppose defense motion to withdraw plea & enter a guilty/no contest plea to 1 as ☐ inf. ☐ Misd. after 1 mo. successful probation.  
☐ Obtain written consent of this court before leaving San Diego County or moving to another state.  
☐ All ☐ programs ☐ fines & fees are stayed. Within 72 hours of returning to the United States, report to the court for assignment/payment arrangements.

**REFERRALS** Report ☐ forthwith ☐ by 1 to ☐ Assessment Unit ☐ Probation Dept. re: 1  
☐ Court Collections ☐ Revenue & Recovery ☐ Collection Agency and comply with additional conditions of probation imposed.

☐ DEFENDANT IS ORDERED TO APPEAR ON 1 AT 1 IN DEPT 1 FOR:  
☐ Sentencing ☐ Restitution ☐ Execution of Custody ☐ Review regarding 1

**CUSTODY STATUS** Defendant ☐ REMANDED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$ 1  
☐ REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted ☐ on probation ☐ after booking ☐ OR/SOR ☐ same terms and conditions  
☐ to an authorized representative of: 1 on 1 at 1  
☐ Previously ordered: ☐ 4<sup>th</sup> WAIVER ☐ continues ☐ deleted

**WARRANT** ☐ Bench WARRANT ordered ☐ Bail set at \$ 1 ☐ No Bail ☐ ISSUED ON 1  
☐ Mandatory appearance ☐ Night service authorized ☐ Cash bail may be forfeited. ☐ HOLD issuance of warrant to DATE SET ABOVE.  
☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: 1

**BAIL** is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ reassumption of liability filed.  
☐ Bail forfeiture set aside, bond ☐ reinstated ☐ exonerated upon payment of court cost \$ 1 within 30 days ☐ cost waived  
☐ Bond # 1 Bond \$ 1 Bond Company 1

Date: 1-14-13 ATTEST A TRUE COPY, Clerk of the Superior Court by 1 Deputy  
 Distribution by: 1 on 1 to: Jail Dept. Adv. Pros. Prob. R&R Interp. Coord. Acct. Assessment Other: 1

SUPE COURT OF CALIFORNIA, COUNTY OF S: IEGO

☐ Central Division ☐ East County Division ☒ North County Division ☐ South County Division Waivers: ☐ Time ☐ 4th

PEOPLE vs. [REDACTED] STATUS: BAIL \$ 5K ☒ CB ☐ (Y/N)  
CASE # [REDACTED] PROS. # [REDACTED] DOB: [REDACTED] BKG # [REDACTED] CTS: 1 hrs.  
DATE: 01-14-13 AT 08:30 DEPT. # 001 INTERP: [REDACTED] ☐ Spanish ☐ Sworn ☐ Calton File  
JUDGE/COM. JUDGE: ADRIENNE A ORFIELD ☐ STIP. FILED REPORTER: [REDACTED]  
CLERK: Rodriguez CSR # / COUNTER #: [REDACTED]

CHARGE(S): HS11377(A) / 17614 **13TH DAY**

FUTURE DATES: M. Layan ☐ CONFIRMED ☐ VACATED  
P. D. L. Hzbaki **13- 2 50**

Attorney for the People (PD/PCA/DAG) ☐ Supervised Cert. Legal Intern Attorney for Defendant (PD/APP/OAC/Retained/Counseling) ☐ Supervised Cert. Legal Intern  
DEFENDANT: ☒ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

Case called for ☒ FTA ☐ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion  
DEJ ☐ Full ☐ Limited Protective Order Expires: [REDACTED] Protected Party: [REDACTED]  
☐ Warrant Ordered/Issued on [REDACTED] ☐ Held to today ☐ Cleared ☐ Outstanding. ☐ Bail Bond # [REDACTED] \$ [REDACTED] forfeited.

CASE TRANSFERRED TO DEPT. [REDACTED] TIME ESTIMATE: [REDACTED]

Complaint amended ☐ by interlineation to read:  
☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)  
☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other:  
☐ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.  
☐ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.  
☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.  
☐ Defendant waives reading of complaint. ☐ Delt. states true name is [REDACTED] on complaint [REDACTED] line)  
☐ DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged ☐ on amended complaint.  
☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977  
☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel  
Atty: [REDACTED] ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.  
☐ Motion for self-representation is ☐ granted ☐ denied ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Delt. is sworn and examined. ☐ Defendant withdraws any previously entered plea.

DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: [REDACTED] ☐ VC23152(a) / (b)  
☐ Admits [REDACTED] separate conviction(s) alleged/[REDACTED] allegation(s)  
☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of [REDACTED]  
☐ On motion of Court/People/Defendant remaining count(s) [REDACTED] is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP  
☐ Plea form executed and filed ☐ People vs. West ☐ BAC:  
☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.  
☐ ADVISALS given by the court: ☐ Theft - PC666 ☐ DUI - VC23593 ☐ Consequences of Conviction - PC1016.5  
☐ WAIVERS: ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.  
☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.  
☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the information.  
☐ Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for [REDACTED] by ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED

PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s) [REDACTED] for [REDACTED] mo / yrs. ☐ New term  
☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by [REDACTED] Comply with all directions of Assessor.  
☐ \$ [REDACTED] DEJ Admin Fees (PC1001.19(a) and PC1001.90) ☐ Forthwith ☐ By [REDACTED]  
☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) [REDACTED] set aside and charges dismissed  
☐ Defendant has FAILED to satisfactorily perform in the DEJ Program, ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.  
☐ Court makes a finding of guilt to the charge(s) pled, ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☐ forthwith ☐ by [REDACTED] to ☐ Assessment Unit ☐ Probation Department ☐ Probation to interview.  
☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.  
☐ Pre-sentence report waived. ☐ Court Collections ☐ for payment of attorney fees \*\* \$ [REDACTED] ☐ indigent as to attorney fees.  
\*\* The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees

HEARINGS Set/cont. on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, [REDACTED] ☐ Statutory time is WAIVED  
DEFENDANT IS ORDERED TO APPEAR for [REDACTED] on [REDACTED] at [REDACTED] in Dept. [REDACTED]  
☐ Re: Attorney [REDACTED] at [REDACTED] in Dept. [REDACTED] ☐ Motion/PC1538.5 [REDACTED] at [REDACTED] in Dept. [REDACTED]  
☐ Arraignment [REDACTED] at [REDACTED] in Dept. [REDACTED] ☐ Jury / Court Trial [REDACTED] at [REDACTED] in Dept. [REDACTED]  
☐ Bail Review [REDACTED] at [REDACTED] in Dept. [REDACTED] ☐ Sentencing [REDACTED] at [REDACTED] in Dept. [REDACTED]  
☐ Readiness/DWT [REDACTED] at [REDACTED] in Dept. [REDACTED] ☐ Prob. Hrg. & Sent [REDACTED] at [REDACTED] in Dept. [REDACTED]  
☐ Prelim Exam [REDACTED] at [REDACTED] in Dept. [REDACTED] ☐ DEJ ☐ Drug Ct [REDACTED] at [REDACTED] in Dept. [REDACTED]  
Time Estimate: [REDACTED] h/day Set with case(s): [REDACTED]

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on [REDACTED] at [REDACTED] by Forensic  
Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on [REDACTED] at [REDACTED] in Dept. [REDACTED] of the  
Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.  
☐ Book & Release - Report on [REDACTED] at [REDACTED] to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility

CUSTODY STATUS Defendant ☐ REMANDED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$ [REDACTED]  
☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR ☐ Refer to CPAC.  
☐ REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted. ☐ after booking ☐ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions  
☐ same terms and conditions ☐ to an authorized representative of [REDACTED] on [REDACTED] at [REDACTED]  
☐ Release Conditions: ☐ Attend [REDACTED] self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.  
☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia  
☐ Delt. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a  
warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked, ☐ for the duration of  
deferred entry of judgment. ☐ Have no contact with / stay away from [REDACTED] ☐ Protective Order issued.  
☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ [REDACTED] ☐ No Bail. ☐ Counsel reports no contact with defendant.  
☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ ISSUED ON: [REDACTED]  
☐ HOLD issuance to DATE ABOVE. ☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: [REDACTED]  
☐ Affidavit requested. Due by: [REDACTED]  
BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.  
☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ [REDACTED] within 30 days ☐ cost waived  
☐ Bond #: [REDACTED] Bond \$ [REDACTED] Bond Co. [REDACTED]

Date: [REDACTED] ATTEST A TRUE COPY, Clerk of the Superior Court by [REDACTED] Deputy

Distribution by: [REDACTED] on [REDACTED] to: Jail Defl. Atty. Pros. Prob. R&R Interpreter Acct. Assessment Other: [REDACTED]

SDSC CRM-150 (Rev. 10/12) MISDEMEANOR/FELONY - PRE-DISPOSITION MINUTES

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

☐ Central Division    ☐ East County Division    ☒ North County Division    ☐ South County Division

PEOPLE vs. \_\_\_\_\_ CASE # \_\_\_\_\_ PROS. # \_\_\_\_\_ STATUS: \_\_\_\_\_  
 DATE 9/13/12 AT \_\_\_\_\_ DEPT # 24 JUDGE/COMM: KATZ COURTROOM CLERK: B Smith  
 CHARGE(S): 1) HS 11377(a) 17b4  
 FUTURE DATES: 23 12-20-12 ☐ CONFIRMED ☒ VACATED

Attorney for the People (DDA/DCA)

Defendant / Attorney for the Defendant (PD / APD / PCC / Retained)

☐ Defendant is present by / with / without counsel ☐ at the counter

**EX PARTE MINUTES**

☐ Amended complaint filed. ☐ Application for Regular Parole, ESP, or Special Parole received, signed, returned to Board and copy filed.  
☐ Defendant having been charged with a subsequent violation of \_\_\_\_\_ in the County of \_\_\_\_\_, Case # \_\_\_\_\_  
☐ PROOF FILED RE: ☐ Self-help meetings ( \_\_\_\_\_ of \_\_\_\_\_ completed) ☐ FCP ☐ MCP ☐  
☐ MADD ☐ Restitution ☐ hours Volunteer Work in lieu of \$ \_\_\_\_\_ fine/custody ☐ Next proof due to court by \_\_\_\_\_  
☐ CORRESPONDENCE RECEIVED FROM: ☐ Deft. ☐ Prosecutor ☐ Atty ☐ Victim ☐ Probation ☐ Other \_\_\_\_\_  
 REGARDING: ☐ Motion for continuance ☐ due to military commitment ☐ Fines/Fees ☐ Bond ☐ \_\_\_\_\_

☐ HEARING requested by ☐ Defendant ☐ Defense counsel ☐ Prosecutor. Case set as noted below.

☐ PROBATION: to expire: \_\_\_\_\_ ☐ (remains) summarily REVOKED ☐ REINSTATED ☐ TERMINATED ☐ CONTINUED  
☐ MODIFIED ☐  
☐ Request for FCP/MCP reassignment granted. ☐ Proof of ☐ enrollment ☐ completion due to court by \_\_\_\_\_  
☐ Re-referred to \_\_\_\_\_ days PSP ☐ hours Volunteer Work ☐ Proof of completion to the court by \_\_\_\_\_  
☐ Proof of completion of \_\_\_\_\_ submitted within 180 days from issuance of warrant.  
☒ DEFENDANT FAILED TO COMPLY WITH ORDER FOR: ☐ FCP ☐ MCP ☐ Drug Testing ☒ PC1000 ☐ Volunteer Wk \_\_\_\_\_ hours  
☐ Public Service Program \_\_\_\_\_ days ☐ Restitution \$ \_\_\_\_\_ ☐ Custody \_\_\_\_\_ days ☐ DVRP  
☐ Self-help meetings ( \_\_\_\_\_ for \_\_\_\_\_ ) ☐ Other: \_\_\_\_\_  
☐ DEFENDANT FAILED TO PAY \$ \_\_\_\_\_ ☐ Fines and fees ☐ balance ☐ including \$ \_\_\_\_\_ bad check fee ☐ other: \_\_\_\_\_  
☐ due on \_\_\_\_\_  
☐ Account balance \$ \_\_\_\_\_ (including fees) transferred to Collection Agency. Civil Assessment added pursuant to PC1214.1.  
☐ Declaration in support of the issuance of warrant filed.

☐ TO BE ADDRESSED AT NEXT HEARING.

☐ CASE REFERRED TO JUDGE/COMM: \_\_\_\_\_ for consideration. By: \_\_\_\_\_ Deputy Clerk

**JUDICIAL ORDERS**

☐ RECALL WARRANT ☐ VACATE FUTURE DATES  
☐ PROBATION ☐ summarily revoked ☐ reinstated ☐ terminated ☐ continued, same terms and conditions ☐ modified as follows  
☐ EXTENDED TO \_\_\_\_\_  
☐ ARREST ☐ BENCH WARRANT ordered, Bail Amount \$ \_\_\_\_\_ ☐ Commit ordered, \_\_\_\_\_ days, \_\_\_\_\_ day(s) stayed, \_\_\_\_\_ days credit for time served ( \_\_\_\_\_ actual & \_\_\_\_\_ PC4019 ) ☐ Schedule for court \_\_\_\_\_  
☐ Proceedings pursuant to PC1000 set aside, finding of guilt to charge(s) pled. ☐ Calendar matter for OSC re: Entry of Judgment  
☐ Counsel Appointed: ☐ Public Defender ☐ \_\_\_\_\_  
 OTHER: \_\_\_\_\_  
 IT IS SO ORDERED: DATE: \_\_\_\_\_ JUDGE/COMMISSIONER \_\_\_\_\_

**MISCELLANEOUS / POST JUDICIAL REVIEW MINUTES**

DATE: \_\_\_\_\_ Pursuant to order of the court as noted above:

☐ No action taken. Copy of correspondence received forwarded to the Prosecutor's Office and defense counsel.  
☐ Amendment to complaint ☐ filed charging ☐ VC40508(a) ☐ PC853.7 ☐ PC1320(a) ☐ filed as/reduced to an infraction.

☐ CASE SET FOR: ☐ Guaranteed Disposition ☐ Arraignment ☐ Motion for: ☐ Further proceedings re: \_\_\_\_\_  
☐ OSC re ☐ Probation Revocation ☐ DEJ ☐ to trail case(s) \_\_\_\_\_ ON \_\_\_\_\_ AT \_\_\_\_\_ DEPT. \_\_\_\_\_

☐ Defendant ☐ REMAINS AT LIBERTY ☐ RELEASED on ☐ bail previously posted ☐ probation ☐ OR.  
☐ Defendant REMANDED to custody of Sheriff, bail set at \$ \_\_\_\_\_. ☐ Sheriff ordered to produce defendant at hearing noted above.  
☐ CASE DISMISSED in the furtherance of justice:  
☐ ARREST ☒ BENCH WARRANT ☐ as previously ordered ☒ to ISSUE ☐ to REMAIN OUTSTANDING ☐ RESCINDED ☐ RECALLED  
☒ Bail set at \$ 5000 ☐ Cash bail may be forfeited ☒ Mandatory appearance ☐ Night service authorized ☐ No checks  
☐ HOLD issuance of warrant to date set above. WARRANT ISSUED: EP 2-6-2012 WARRANT RECALLED: \_\_\_\_\_

OTHER: \_\_\_\_\_ By: B Smith Deputy Clerk

MY SIGNATURE ACKNOWLEDGES THAT I HAVE RECEIVED A COPY AND UNDERSTAND THIS COURT ORDER. Further, if applicable, I agree to all of the following conditions of a release on my own recognizance: (1) I will appear at all times and places as ordered by the court; (2) I will obey all conditions imposed by the court; (3) I will not depart this state without permission of the court; (4) I waive extradition if I fail to appear as ordered by the court and am apprehended outside of California. I understand that a willful failure to appear in a misdemeanor case is a separate misdemeanor offense punishable by imprisonment in the county jail for up to 6 months, or by a fine of up to \$1,000, or both.

Defendant's Signature

Telephone Number

Driver License No. & State

Home Address

City

State

Zip Code

Date: \_\_\_\_\_ ATTEST A TRUE COPY, Clerk of the Superior Court by \_\_\_\_\_ Deputy

Distribution by: \_\_\_\_\_ on \_\_\_\_\_ to: Jail Deft. Atty. Pros. Prob. R&R Interp Coord. Accl. Assessment Other: \_\_\_\_\_

**SUPERIOR COURT OF CALIFORNIA, COUNTY of SAN DIEGO**

☐ Central Division, 220 W. Broadway, San Diego, CA 92101-3814  
☐ East County Division, 250 E. Main St., El Cajon, CA 92020-3941

☒ North County Division, 325 S. Melrose Dr., Vista, CA 92081-6695  
☐ South County Division, 500 3rd Ave., Chula Vista CA 91910-5649

**Substance Abuse Assessment Unit Addendum**

**DEFERRED ENTRY OF JUDGMENT**

People v. [REDACTED]

Case No(s): [REDACTED]

Judge: KATZ

Dept. 1

Date: 8-13-12

Charges: H 511377(A)

☐ Re-referral

Confirm/Vacate: \_\_\_\_\_

You have been granted Deferred Entry of Judgment (DEOJ), and subsequently referred to the Substance Abuse Assessment Unit (SAAU) for assignment to a program. You must comply with the terms and conditions indicated below during the term of the DEOJ period. Failure to do so may result in reinstatement of criminal proceedings and a warrant issued for your arrest.

☒ Deferred Entry of Judgment is set for a period of: ☒ 18 months ☐ (Other) \_\_\_\_\_

☐ Attend self-help meetings as directed by the program provider.

☐ Submit to a drug test at any time during the DEOJ period, as directed by the Court or provider. Said drug test will be at a facility designated by the Court and at your own expense.

☐ Remain law abiding in all respects. You are advised that any new offense may cause reinstatement of criminal proceedings.

☐ Attend and successfully complete the following program:

☐ County of San Diego PC1000 program – see referral form attached.

☐ \_\_\_\_\_ (Alternative Program)

☐ Out-of-County / Out-of-State program authorized as listed: \_\_\_\_\_

☐ Submit proof of enrollment in Out-of-County/ Out-of-State program by mail 2 weeks prior to court date.

☐ Show proof of DEOJ Enrollment, Completion or Progress Reports when ordered to do so by the Court or SAAU.

☐ Contact the program within 72 hours ☐ Enroll by: \_\_\_\_\_ ☐ Complete by: \_\_\_\_\_ ☐ Progress Report Due on: \_\_\_\_\_

*Proof of Enrollment PC1000 Filed*

Next Court Room Appearance is set for _____ at _____ a.m./p.m. in Dept. _____
Final Review is set for _____ at _____ a.m./p.m. in Dept. _____
Next SAAU Monitoring Date is set for <u>12-20-12</u> at <u>8:30</u> a.m./p.m.
Bring the following proof: <input type="checkbox"/> Enrollment <input checked="" type="checkbox"/> Completion/Progress Report from the DEOJ/PC1000 Provider.
<input type="checkbox"/> Drug Testing Lab Results <input type="checkbox"/> PC1001 to Education completion.

**CONSENT FOR RELEASE OF ALCOHOL OR DRUG ABUSE PATIENT INFORMATION OR RECORDS**

I hereby authorize MHS to disclose drug test records obtained in the course of my DEOJ program to an authorized representative of the Superior Court, County of San Diego. The disclosure of records authorized herein is required for the following purpose: To monitor my compliance with the terms and conditions of the DEOJ program.

I HAVE RECEIVED A COPY of this agreement. I UNDERSTAND if I fail to comply with these terms and conditions, a finding of guilt may be entered and judgment imposed on the charge(s) to which I have pled guilty.

Defendant's signature: [REDACTED]

Phone No. [REDACTED]

Defendant's Address: [REDACTED]

Street

City

State

ZIP Code

This order was prepared and executed by: D. C. 16, Substance Abuse Assessor/Clerk

I, \_\_\_\_\_, certify, I translated the addendum to the defendant from English to his/her native/sign language.

Distribution:

Court Case (Original)

Defendant (Copy)

Assessment Unit (Pink)

*[Signature]*

PEOPLE vs. [REDACTED] A STATUS: OTH \$ [REDACTED] BB CB (Y/N)  
CASE # [REDACTED] PROS. # [REDACTED] DOB: [REDACTED] SKG # [REDACTED] CTS: days hrs.  
DATE: 08-01-12 11:11 DEPT. # SAU INTERP: [REDACTED] Spanish Sworn Oath on File  
JUDGE/COM/TEMP JUDGE: [REDACTED] STIP. FILED REPORTER: [REDACTED]  
CLERK: NC-SAAU CSR # / COUNTER #: [REDACTED]

CHARGE(S): HS11377(A) 13TH DAY  
FUTURE DATES: 8/8/12  
P. D. B 10- 3 50

Attorney for the People (DDA/DCA/DAG) Supervised Cert. Legal Intern Attorney for Defendant (PD/APD/OAC/Retained/Counseling) Supervised Cert. Legal Intern  
DEFENDANT: PRESENT VIA AUDIO VIDEO SELF REPRESENTED NOT PRESENT NOT PRODUCED FAILED TO APPEAR

Case called for PTA Arraignment Bail Review Readiness/DWT Jury Trial Preliminary Examination Motion  
DEJ Full Limited Protective Order Expires: Protected Party:  
Warrant Ordered/Issued on Held to today Cleared Outstanding.

CASE TRANSFERRED TO DEPT. TIME ESTIMATE:  
Complaint amended by interlineation to read:  
Amended Amendment to complaint filed charging adding VC23103(a) pursuant to VC23103.5 VC22107, VC21658(a), PC847(f)  
as INFRACTION(S) pursuant to PC17(d)(2). other:  
Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.  
Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.  
Acknowledgment of advisal of constitutional rights signed and filed. Defendant has received copy of complaint.  
Defendant waives reading of complaint. Def. states true name is on complaint [ ] line  
DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged on amended complaint.  
Defendant WAIVES: time for speedy trial 10 day/60 day statutory time for preliminary hearing personal presence per PC977  
bail review jury trial preliminary hearing

COUNSEL MOTION FOR APPOINTED ATTORNEY Granted Public Defender Alternate Public Defender Office of Assigned Counsel  
Atty. Denied Referred to Near Indigent Panel Defendant to retain counsel.  
Motion for self-representation is granted denied. Faretta/Lopez Waiver signed & filed. OAC appointed - legal runner/reasonable ancillary services.

CONVICTION Def. is sworn and examined. Defendant withdraws any previously entered plea.  
DEFENDANT PLEADS: GUILTY NO CONTEST to: VC23452(a) / (b) allegation(s)  
Admits separate conviction(s) alleged/  
Charges contained in amended/amendment to complaint. VC23103(a) per 23103.5 as a lesser included offense of  
On motion of Court/People/Defendant remaining count(s) is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN FOJ VOP  
Plea form executed and filed People vs. West BAC.  
Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.  
ADVISALS: Theft - PC866 DUI - VC23583  
WAIVERS: Arbuckle Blakely Cruz Harvey Appeal Rights Non-Bio. Evidence Disposal Time for sentencing, see JUDGMENT MINUTES.  
PC1210 Drug Court accepted declined.  
Stipulated bindover. Case certified as a general jurisdiction matter. Complaint deemed the Information.  
Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for by People Defendant with without objection GRANTED DENIED.  
PC1000 Defendant's motion for reinstatement to PC1000 granted as to count(s) for mo./ yrs. New term  
Time waived for sentencing S.D. Rescue Mission Program Enroll by Comply with all directions of Assessor.  
\$ DEJ Admin Fees (PC1001.16(a) and PC1001.90) Forthwith By  
Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) set aside and charges dismissed.  
Defendant has FAILED to satisfactorily perform in the DEJ Program. PC1000 set aside and any unpaid fees pertaining thereto deleted.  
Court makes a finding of guilt to the charge(s) pled. Time waived for sentencing, see JUDGMENT.

REFERRALS Report forthwith by to Assessment Unit Probation Department Probation to interview.  
Pre-sentence Mini Supplemental Psych. Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.  
Pre-sentence report waived. Court Collections for payment of attorney fees \$ Indigent as to attorney fees.  
The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Set/continued on motion of People Defense Opposed Unopposed By Stipulation, Statutory time is WAIVED  
DEFENDANT IS ORDERED TO APPEAR for on in Dept. at in Dept.  
Re: Attorney at in Dept. Motion/PC1538.5 at in Dept.  
Arraignment at in Dept. Jury / Court Trial at in Dept.  
Bail Review at in Dept. Sentencing at in Dept.  
Readiness/DWT at in Dept. Prob. Hrg. & Sent at in Dept.  
Prelim Exam at in Dept. DEJ Drug Ct 8/10/12 at 8:30 in Dept. SAAU  
Time Estimate: hr/day Set with case(s): to trial for revocation

MENTAL HEALTH Proceedings suspended pursuant to PC1368. Mental competency examination on at by Forensic  
Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on at in Dept. of the  
Central Division. The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER Verbal notice of license suspension (DL 310) signed. Fingerprint form filed.  
Book & Release - Report on at to Central Vista Las Colinas Detention Facility.

Continue to 8/10/12 Prob of enrollment

CUSTODY STATUS Defendant REMANDED to custody of Sheriff without bail with bail set at / increased to / reduced to \$  
PC1275.1 HOLD. Pretrial Services Report Ordered re: SOR  
REMAINS AT LIBERTY RELEASED: on bail previously posted. after booking DEJ OR SUPERVISED OR - comply with P.T.S. conditions  
same terms and conditions to an authorized representative of: on at  
Release Conditions: Attend self-help mtgs. per week and submit proof at each court hearing. Abstain from alcohol.  
Not use or possess any controlled substances without a valid prescription. Not possess narcotic paraphernalia.  
Def. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a  
warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer until revoked. for the duration of  
deferred entry of judgment. Have no contact with / stay away from: Protective Order issued.  
Previously ordered: 4th WAIVER continues deleted PROTECTIVE ORDER continues deleted.

WARRANT Arrest Bench Warrant ordered Bail set at \$ No Bail ISSUED ON:  
Schedule for hearing. Mandatory appearance. Night service authorized. Cash bail may be forfeited. HOLD issuance to DATE SET ABOVE.  
Warrant previously ordered/issued remains outstanding rescinded RECALLED ON:  
Affidavit requested. Cus by:

BAIL is exonerated refund bond Fine from bail, refund balance. Declaration of non-collusion/ re-assumption of liability filed.  
Bail forfeiture is set aside and bond is reinstated exonerated upon payment of court cost \$ within 30 days cost waived  
Bond #: Bond \$ Bond Co.

Date: ATTEST A TRUE COPY, Clerk of the Superior Court by Deputy  
Distribution by: on to: Jail Deft. Atty. Pros. Prob. R&R Interpreter Acct. Assessment Other:

**SUPERIOR COURT OF CALIFORNIA, COUNTY of SAN DIEGO**

☐ Central Division, 220 W. Broadway, San Diego, CA 92101-3814  
☐ East County Division, 250 E. Main St., El Cajon, CA 92020-3941

☒ North County Division, 325 S. Melrose Dr., Vista, CA 92081-6695  
☐ South County Division, 500 3rd Ave., Chula Vista CA 91910-5649

**Substance Abuse Assessment Unit Addendum**

**AGREEMENT FOR DEFERRED ENTRY OF JUDGMENT**

People v. \_\_\_\_\_

Case No(s): \_\_\_\_\_

Judge: Kate Dept. 1

Date: 7-6-12

Charges: 1) MCS11377(A) / 176(4)

☒ Re-referral

Confirm/Vacate: \_\_\_\_\_

You have been granted Deferred Entry of Judgment (DEOJ), and subsequently referred to the Substance Abuse Assessment Unit (SAAU) for assignment to a program. You must comply with the terms and conditions indicated below during the term of the DEOJ period. Failure to do so may result in reinstatement of criminal proceedings and a warrant issued for your arrest.

☒ Deferred Entry of Judgment is set for a period of: ☐ 18 months ☐ (Other) \_\_\_\_\_

☒ Attend self-help meetings as directed by the program provider.

☒ Submit to a drug test at any time during the DEOJ period, as directed by the Court or provider. Said drug test will be at a facility designated by the Court and at your own expense.

☐ Remain law abiding in all respects. You are advised that any new offense may cause reinstatement of criminal proceedings.

☐ Attend and successfully complete the following program:

☒ County of San Diego PC1000 program – see referral form attached.

☐ \_\_\_\_\_ (Alternative Program)

☐ Out-of-County / Out-of-State program authorized as listed: \_\_\_\_\_

*Indigent Status Requested*

☐ Submit proof of enrollment in Out-of-County/ Out-of-State program by mail 2 weeks prior to court date.

☐ Show proof of DEOJ Enrollment, Completion or Progress Reports when ordered to do so by the Court or SAAU.

☐ Contact the program within 72 hours ☐ Enroll by: \_\_\_\_\_ ☐ Complete by: \_\_\_\_\_ ☐ Progress Report Due on: \_\_\_\_\_

Next Court Room Appearance is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_

Final Review is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_

Next SAAU Monitoring Date is set for 8/1/12 at \_\_\_\_\_ a.m./p.m.

Bring the following proof: ☒ Enrollment/Completion/Progress Report from the DEOJ/PC1000 Provider.

☐ Drug Testing Lab Results. ☐ PC1001.10 Education completion.

**CONSENT FOR RELEASE OF ALCOHOL OR DRUG ABUSE PATIENT INFORMATION OR RECORDS**

I hereby authorize \_\_\_\_\_ to disclose drug test records obtained in the course of my DEOJ program to an authorized representative of the Superior Court, County of San Diego. The disclosure of records authorized herein is required for the following purpose: To monitor my compliance with the terms and conditions of the DEOJ program.

I HAVE RECEIVED A COPY of this agreement. I UNDERSTAND if I fail to comply with these terms and conditions, a finding of guilt may be entered and judgment imposed on the charge(s) to which I have pled guilty.

Defendant's signature \_\_\_\_\_

Phone No. \_\_\_\_\_

Defendant's Address: \_\_\_\_\_

Street

City

State

ZIP Code

This order was prepared and executed by: A. Maye, Substance Abuse Assessor/Clerk

I, \_\_\_\_\_ certify, I translated the addendum to the defendant from English to his/her native/sign language.

Distribution: Court Case (Original)

Defendant (Canary)

Assessment Unit (Pink)

Central Division ☐ East County Division ☐ ☒ North County Division ☐ South County Division ☐ Waiver: ☐ Time ☐ 4th

PEOPLE vs. [REDACTED] STATUS: WT 3000000 ☐ BB ☐ CS (Y/N)

CASE # 17-06-12 PROS. # 1706130 BKG # 1706130 CTS: 1 days 0 hrs.

DATE: 07-06-12 DEPT. # AD1 INTER: AD1 ☐ Spanish ☐ Sworn ☐ Oath on File

JUDGE/COMM/TEMP JUDGE: KATZ, AARON H. ☐ STIP. FILED REPORTER: HAUTS

CLERK: Rodriguez CSR # / COUNTER #: 4418

CHARGE(S): 0H11377(A) 11706(X4)

FUTURE DATE: h. Hober ☐ CONFIRMED ☐ VACATED

Attorney for the People (DAG / DAG) ☐ Supervised Cert. Legal Intern P.D. McCoy Attorney for Defendant (DAG / OAC / Retained / Counseling) ☐ Supervised Cert. Legal Intern

DEFENDANT: ☐ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

Cases called for: ☐ FTA ☐ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion

☐ DEJ ☐ Full ☐ Limited Protective Order Expires: 30 Protected Party: 30

☐ Warrant Ordered/Issued on ☐ Held to today ☐ Cleared ☐ Outstanding. 30

CASE TRANSFERRED TO DEPT. AD1 TIME ESTIMATE: 10:00

Complaint amended ☐ by Interlineation to read:

☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)

☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other:

☐ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.

☐ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.

☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.

☐ Defendant waives reading of complaint. ☐ Def. states true name is h. Hober on complaint (line)

☐ DEFENDANT PLEADS NOT GUILTY and denies any prior allegations/separate convictions alleged ☐ on amended complaint.

☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977

☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel

Att: ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.

☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Def. is sworn and examined. ☐ Defendant withdraws any previously entered plea.

DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: VC23152(a) / (b)

☐ Admits h. Hober separate conviction(s) alleged/

☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of h. Hober

☐ On motion of Court/People/Defendant remaining count(s) h. Hober is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP

☐ Plea form executed and filed ☐ People vs. West ☐ BAC: h. Hober

☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.

ADVISALS: ☐ Theft - PC666 ☐ DUI - VC23593

WAIVERS: ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.

PC1210 ☐ Drug Court ☐ accepted ☐ declined.

☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the information.

☐ Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for h. Hober by h. Hober ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED

PC1000 Defendant's motion for reinstatement to h. Hober PC1000 granted as to count(s) h. Hober for h. Hober yrs. ☐ New term

☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by h. Hober Comply with all directions of Assessor.

☐ DEJ Admin Fees (PC1001.16(a) and PC1001.90) ☐ Forfeiture ☐ By h. Hober

☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) h. Hober set aside and charges dismissed.

☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.

☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☐ Forfeiture ☐ by h. Hober to h. Hober Assessment Unit ☐ Probation Department ☐ Probation to interview.

☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.

☐ Pre-sentence report waived. ☐ Court Collections for payment of h. Hober ☐ Indigent as to attorney fees.

☐ The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Set/continued on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, ☐ Statutory time is WAIVED

DEFENDANT IS ORDERED TO APPEAR for ☐ on h. Hober at h. Hober in Dept. h. Hober

☐ Re: Attorney ☐ at h. Hober in Dept. h. Hober ☐ Motion/PC1538.5 ☐ at h. Hober in Dept. h. Hober

☐ Arraignment ☐ at h. Hober in Dept. h. Hober ☐ Jury / Court Trial ☐ at h. Hober in Dept. h. Hober

☐ Bail Review ☐ at h. Hober in Dept. h. Hober ☐ Sentencing ☐ at h. Hober in Dept. h. Hober

☐ Readiness/DWT ☐ at h. Hober in Dept. h. Hober ☐ Prob. Hrg. & Sent ☐ at h. Hober in Dept. h. Hober

☐ Prelim Exam ☐ at h. Hober in Dept. h. Hober ☐ DEJ ☐ Drug Ct ☐ at h. Hober in Dept. h. Hober

Time Estimate: h. Hober hr/day Set with case(s): h. Hober ☐ to trail for revocation

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on h. Hober at h. Hober by Forensic

Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on h. Hober at h. Hober in Dept. h. Hober of the

Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.

☐ Book & Release - Report on h. Hober at h. Hober to h. Hober ☐ Central ☐ Vista ☐ Las Colinas Detention Facility

Last re-referrals. No further re-referrals will be given for any reasons.

CUSTODY STATUS Defendant ☐ REMAINED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$ h. Hober

☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: h. Hober

☐ REMAINS AT LIBERTY / RELEASED: ☐ on bail previously posted. ☐ after booking ☐ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions

☐ same terms and conditions ☐ to an authorized representative of: h. Hober on h. Hober at h. Hober

☐ Release Conditions: ☐ attend h. Hober self-help migs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.

☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.

☐ Def. waives ☐ amendment rights and agree to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a

warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of

deferred entry of judgment. ☐ Have no contact with / stay away from: h. Hober ☐ Protective Order issued.

☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ h. Hober ☐ No Bail ☐ ISSUED ON: h. Hober

☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ HOLD issuance to DATE SET ABOVE.

☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: h. Hober

☐ Affidavit requested. Due by: h. Hober

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.

☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ h. Hober within 30 days ☐ cost waived

☐ Bond #: h. Hober Bond Co. h. Hober

Date: h. Hober TEST A TRUE COPY, Clerk of the Superior Court by h. Hober Deputy

Distribution by: h. Hober on h. Hober to: Jail h. Hober Pros. Prob. R&R Interpreter Acct. Assessment Other: h. Hober

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

☐ Central Division ☐ East County Division ☒ North County Division ☐ South County Division

PEOPLE vs. [REDACTED] CASE # [REDACTED] PROS # [REDACTED] STATUS: [REDACTED]  
 DATE: 6/8/12 AT: [REDACTED] DEPT. # 24 JUDGE/COMM. A. Katz CLERK M. Torres  
 CHARGE(S): HS 11377(a) 1754  
 FUTURE DATES: 9-7-12 ET ☐ CONFIRMED ☒ VACATED

Attorney for the People (DDA / DCA)

Defendant / Attorney for the Defendant (PD / APD / PCC / Retained)

☐ Defendant is present by / with / without counsel ☐ at the counter

**EX PARTE MINUTES**

☐ Amended complaint filed. ☐ Application for Regular Parole, ESP, or Special Parole received, signed, returned to Board and copy filed.  
☐ Defendant having been charged with a subsequent violation of \_\_\_\_\_ in the County of \_\_\_\_\_, Case # \_\_\_\_\_

☐ **PROOF FILED RE:** ☐ AA/NA/CA/MA Meetings (\_\_\_\_ of \_\_\_\_ completed) ☐ FCP ☐ MCP ☐  
☐ MADD ☐ Restitution ☐ \_\_\_\_\_ hours Volunteer Work in lieu of \$ \_\_\_\_\_ fine/custody ☐ Next proof due to Court by \_\_\_\_\_

☐ **CORRESPONDENCE RECEIVED FROM:** ☐ Deft. ☐ Prosecutor ☐ Atty ☐ Victim ☐ Probation ☐ Other \_\_\_\_\_  
**REGARDING:** ☐ Motion for continuance ☐ due to military commitment ☐ Fines/Fees ☐ Bond ☐ \_\_\_\_\_

☐ **HEARING** requested by ☐ Defendant ☐ Defense counsel ☐ Prosecutor. Case set as noted below.

☐ **PROBATION:** ☐ (remains) summarily REVOKED ☐ REINSTATED ☐ TERMINATED ☐ CONTINUED ☐ and MODIFIED See below:  
☐ Request for FCP/MCP reassignment granted. ☐ Proof of ☐ enrollment ☐ completion due to Court by \_\_\_\_\_  
☐ Re-referred to ☐ \_\_\_\_\_ days PSP ☐ \_\_\_\_\_ hours Volunteer Work ☐ Proof of completion to the Court by \_\_\_\_\_  
☐ Proof of completion of \_\_\_\_\_ submitted within 180 days from issuance of warrant.

☒ **DEFENDANT FAILED TO COMPLY WITH ORDER FOR:** ☐ FCP ☐ MCP ☐ Drug Testing ☒ PC1000 ☐ Volunteer Wk \_\_\_\_\_ hours  
☐ Public Service Program \_\_\_\_\_ days ☐ Restitution \$ \_\_\_\_\_ ☐ Custody \_\_\_\_\_ days ☐ DVRP  
☐ AA/NA/CA/MA (\_\_\_\_\_ for \_\_\_\_\_) ☐ Other: \_\_\_\_\_

☐ **DEFENDANT FAILED TO PAY \$** \_\_\_\_\_ ☐ Fines and fees ☐ balance ☐ including \$ \_\_\_\_\_ bad check fee ☐ other: \_\_\_\_\_  
 due on \_\_\_\_\_.

☐ Account balance \$ \_\_\_\_\_ (including fees) transferred to Collection Agency. Civil Assessment added pursuant to PC1214.1.  
☐ Declaration in support of the issuance of warrant filed.

☐ **CASE REFERRED TO JUDGE/COMM.** \_\_\_\_\_ for consideration. ☐ **TO BE ADDRESSED AT NEXT HEARING.**

**JUDICIAL ORDERS**

☐ **RECALL WARRANT** ☐ **VACATE FUTURE DATES**  
☐ **PROBATION** ☐ summarily revoked ☐ reinstated ☐ terminated ☐ continued, same terms and conditions ☐ modified as follows  
☐ **EXTENDED/TOLLED TO** \_\_\_\_\_  
☐ **ARREST** ☐ **BENCH WARRANT** ordered, Bail Amount \$ \_\_\_\_\_ ☐ Commit ordered, \_\_\_\_\_ days, \_\_\_\_\_ day(s) stayed, \_\_\_\_\_ days credit for time served (\_\_\_\_\_ actual & \_\_\_\_\_ PC4019) ☐ Schedule for Court  
☐ Proceedings pursuant to PC1000 set aside, finding of guilt to charge(s) pled. ☐ Calendar matter for OSC re: Entry of Judgment  
☐ Counsel Appointed: ☐ Public Defender ☐ \_\_\_\_\_  
**OTHER:** \_\_\_\_\_  
**IT IS SO ORDERED:** DATE: \_\_\_\_\_ JUDGE/COMMISSIONER \_\_\_\_\_

**MISCELLANEOUS / POST JUDICIAL REVIEW MINUTES**

☐ **DATE:** \_\_\_\_\_ Pursuant to order of Court as noted above:  
☐ Amendment to complaint filed charging ☐ VC40508(a) ☐ PC853.7 ☐ PC1320(a) ☐ Filed as/reduced to an infraction.  
☐ **CASE SET FOR:** ☐ Guaranteed Disposition ☐ Arraignment ☐ Motion for: ☐ Further proceedings re: \_\_\_\_\_  
☐ OSC re ☐ Probation Revocation ☐ DEJ ☐ to trial case(s) \_\_\_\_\_ ON \_\_\_\_\_ AT \_\_\_\_\_ DEPT. \_\_\_\_\_  
☐ Defendant ☐ **REMAINS AT LIBERTY** ☐ **RELEASED** on ☐ bail previously posted ☐ probation ☐ OR.  
☐ Defendant **REMANDED** to custody of Sheriff, bail set at \$ \_\_\_\_\_. ☐ Sheriff ordered to produce defendant at hearing noted above.  
☐ **CASE DISMISSED** in the furtherance of justice: \_\_\_\_\_  
☐ **ARREST** ☒ **BENCH WARRANT** ☐ as previously ordered ☒ **to ISSUE** ☐ **to REMAIN OUTSTANDING** ☐ **RESCINDED** ☐ **RECALLED**  
☒ Bail set at \$ 5,000 ☐ Cash bail may be forfeited ☐ Mandatory appearance ☐ Night service authorized ☐ No checks  
☐ HOLD issuance of warrant to date set above. **WARRANT ISSUED:** JUN 8 6 2012 **WARRANT RECALLED:** \_\_\_\_\_  
**OTHER:** \_\_\_\_\_  
 By: M. Torres, Deputy Clerk

MY SIGNATURE ACKNOWLEDGES THAT I HAVE RECEIVED A COPY AND UNDERSTAND THIS COURT ORDER. Further, if applicable, I agree to all of the following conditions of a release on my own recognizance: (1) I will appear at all times and places as ordered by the Court; (2) I will obey all conditions imposed by the Court; (3) I will not depart this state without permission of the Court; (4) I waive extradition if I fail to appear as ordered by the Court and am apprehended outside of California. I understand that a willful failure to appear in a misdemeanor case is a separate misdemeanor offense punishable by imprisonment in the county jail for up to 6 months, or by a fine of up to \$1,000, or both.

Defendant's Signature \_\_\_\_\_ Telephone Number \_\_\_\_\_ Driver's License No. & State \_\_\_\_\_  
 Home Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Attest a true copy CLERK OF THE SUPERIOR COURT Date: \_\_\_\_\_ by \_\_\_\_\_ Deputy Clerk  
 Distribution by: \_\_\_\_\_ on \_\_\_\_\_ to: Jail Deft. Atty. Pros. Prob. R&R Assessment Other: \_\_\_\_\_  
 SDSC CRM -177(Ret 7-07) **EX PARTE MINUTES**

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

☐ Central Division ☐ East County Division ☒ North County Division ☐ South County Division    Waivers: ☐ Time ☐ 4h

PEOPLE vs. [REDACTED]    A STATUS: OTHER    ☐ BB ☐ CB (Y/N)

CASE # [REDACTED]    PROS. # [REDACTED]    DOB [REDACTED]    BKG # [REDACTED]    CTS: \_\_\_\_\_ days \_\_\_\_\_ hrs.

DATE: 08-09-12 AT 01:30 DEPT. # 001 INTERP: \_\_\_\_\_ ☐ Spanish ☐ Sworn ☐ Oath on File

JUDGE/CLERK/REPORTER: WILLIAM A. GARCIA    ☐ STIP. FILED    REPORTER: \_\_\_\_\_

CLERK: [Signature]    CSR # / COUNTER #: \_\_\_\_\_

CHARGE(S): 1) HB1157 / 17614    13TH DAY

FUTURE DATES: Chris Ray    ☐ CONFIRMED ☐ VACATED

Attorney for the People (DADA/BCA/DAG) ☐ Supervised Cert. Legal Intern    Attorney for Defendant (DADA/BCA/DAG/Retained (Counseling)) ☐ Supervised Cert. Legal Intern

DEFENDANT: ☒ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

Case called for: ☐ FTA ☐ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion

☒ DEJ Enrollment    ☐ Full ☐ Limited Protective Order Expires: \_\_\_\_\_ Protected Party: \_\_\_\_\_

☐ Warrant Ordered/Issued on \_\_\_\_\_ ☐ Held to today ☐ Cleared ☐ Outstanding. fee = 0

CASE TRANSFERRED TO DEPT. \_\_\_\_\_ TIME ESTIMATE: \_\_\_\_\_

Complaint amended ☐ by interlineation to read:

☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)

☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other: \_\_\_\_\_

☐ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.

☐ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.

☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.

☐ Defendant waives reading of complaint. ☐ Def. states true name is \_\_\_\_\_ ☐ on complaint (\_\_\_\_\_ line)

☐ DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged ☐ on amended complaint.

☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977

☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel

Atty: ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.

☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Def. is sworn and examined. ☐ Defendant withdraws any previously entered plea.

DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: \_\_\_\_\_ ☐ VC23152(a) / (b)

☐ Admits \_\_\_\_\_ separate conviction(s) alleged/ \_\_\_\_\_ allegation(s)

☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of \_\_\_\_\_

☐ On motion of Court/People/Defendant remaining count(s) \_\_\_\_\_ is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP

☐ Plea form executed and filed ☐ People vs. West ☐ BAC: \_\_\_\_\_

☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.

☐ ADVISALS: ☐ Theft - PC666 ☐ DUI - VC23593

☐ WAIVERS: ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.

☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.

☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.

☐ Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for \_\_\_\_\_ by ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED.

PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s) \_\_\_\_\_, for \_\_\_\_\_ mo./yrs. ☐ New term

☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by \_\_\_\_\_ Comply with all directions of Assessor.

☐ \$ \_\_\_\_\_ DEJ Admin Fees (PC1001.16(a) and PC1001.90) ☐ Forthwith ☐ By \_\_\_\_\_

☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) \_\_\_\_\_ set aside and charges dismissed.

☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.

☐ Court makes a finding of guilty to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☐ forthwith ☐ by \_\_\_\_\_ to ☐ Assessment Unit ☐ Probation Department ☐ Probation to interview.

☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Resilience Report Ordered.

☐ Pre-sentence report waived. ☐ Court Collections for payment of attorney fees \*\* \$ \_\_\_\_\_ ☐ Indigent as to attorney fees.

**\*\* The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees**

HEARINGS ☐ set/continued on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, ☐ Statutory time is WAIVED

DEFENDANT IS ORDERED TO APPEAR for ☐ \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_

<input type="checkbox"/> Re: Attorney _____ at _____ in Dept. _____	<input type="checkbox"/> Motion/PC1538.5 _____ at _____ in Dept. _____
<input type="checkbox"/> Arraignment _____ at _____ in Dept. _____	<input type="checkbox"/> Jury / Court Trial _____ at _____ in Dept. _____
<input type="checkbox"/> Bail Review _____ at _____ in Dept. _____	<input type="checkbox"/> Sentencing _____ at _____ in Dept. _____
<input type="checkbox"/> Readiness/DWT _____ at _____ in Dept. _____	<input type="checkbox"/> Prob. Hrg. & Sent _____ at _____ in Dept. _____
<input type="checkbox"/> Prelim Exam _____ at _____ in Dept. _____	<input checked="" type="checkbox"/> DEJ <input type="checkbox"/> Drug Ct _____ at _____ in Dept. _____

Time Estimate: \_\_\_\_\_ hr/day    Set with case(s): 9-1-12 Completion ☐ to trail for revocation

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on \_\_\_\_\_ at \_\_\_\_\_ by Forensic Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on \_\_\_\_\_ in Dept. \_\_\_\_\_ of the Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.

☐ Book & Release - Report on \_\_\_\_\_ at \_\_\_\_\_ to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

Proof of Enrollment filed

CUSTODY STATUS Defendant ☐ REMANDED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$ \_\_\_\_\_

☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR

☐ REMAINS AT LIBERTY ☒ RELEASED: ☐ on bail previously posted. ☐ after booking ☒ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions

☐ same terms and conditions ☐ to an authorized representative of: \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_

☐ Release Conditions: ☐ Attend \_\_\_\_\_ self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.

☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.

☐ Def. waives 4<sup>th</sup> amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of deferred entry of judgment. ☐ Have no contact with / stay away from: \_\_\_\_\_ ☐ Protective Order issued.

☐ Previously ordered: ☐ 4<sup>th</sup> WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ \_\_\_\_\_ ☐ No Bail ☐ ISSUED ON: \_\_\_\_\_

☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ HOLD issuance to DATE SET ABOVE

☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: \_\_\_\_\_

☐ Affidavit requested. Due by: \_\_\_\_\_

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.

☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ \_\_\_\_\_ within 30 days ☐ cost waived

☐ Bond #: \_\_\_\_\_ Bond \$ \_\_\_\_\_ Bond Co. \_\_\_\_\_

Date: 8/9/12 ATTEST A TRUE COPY, Clerk of the Superior Court by \_\_\_\_\_ Deputy

Distribution by: [Signature] to: Jail Def. Atty. Pros. Prob. R&R Interpreter Acct. Assessment Other: \_\_\_\_\_

SDSC CRM-150 (Rev. 9/11)    MISDEMEANOR/FELONY - PRE-DISPOSITION MINUTES

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

☐ Central Division ☐ East County Division ☐ North County Division ☐ South County Division Waivers: ☐ Time ☐ 4th

PEOPLE vs.                      A STATUS: OTHER ☐ BB ☐ CB (Y/N)

CASE #                      PROS. #                      DOB:                      BKG #                      CTS:                      days                      hrs.

DATE: 05-13-2012 DEPT. # 006 INTERP:                      ☐ Spanish ☐ Sworn ☐ Oath on File

JUDGE/COMM/TEMP JUDGE: ZIMMERMAN, A. LAGUNA ☐ STIP. FILED REPORTER:                     

CLERK: C. Belarcourt CSR # / COUNTER #: Janet Giannantonio, CSR 12717

CHARGE(S): 1) PC 11377(A) / 17(b)(4)

FUTURE DATES:                      ☐ CONFIRMED ☐ VACATED

Attorney for the People (DOA/DCA/DAG) ☐ Supervised Cert. Legal Intern Attorney for Defendant (PD/APD/OAC/Retained/Counseling) ☐ Supervised Cert. Legal Intern

DEFENDANT: ☒ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

Case called for ☐ FTA ☐ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion

☒ DEJ Prob. Hrg. ☐ Full ☐ Limited Protective Order Expires:                      Protected Party:                     

☐ Warrant Ordered/Issued on                      ☐ Held to today ☐ Cleared ☐ Outstanding. fu = 0

CASE TRANSFERRED TO DEPT.                      TIME ESTIMATE:                     

Complaint amended ☐ by interlineation to read:

☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)

☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other:                     

☐ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.

☐ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.

☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.

☐ Defendant waives reading of complaint. ☐ Def. states true name is                      on complaint                      line

☐ DEFENDANT PLEADS NOT GUILTY and denies any prior allegations/separate convictions alleged ☐ on amended complaint.

☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977

☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel

Atty: ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.

☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Def. is sworn and examined. ☐ Defendant withdraws any previously entered plea.

DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to:                      ☐ VC23152(a) / (b)

☐ Admits                      separate conviction(s) alleged/                      allegation(s)

☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of                     

☐ On motion of Court/People/Defendant remaining count(s)                      is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP

☐ Plea form executed and filed ☐ People vs. West ☐ BAC:                     

☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.

ADVISALS: ☐ Theft - PC666 ☐ DUI - VC23593

WAIVERS: ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.

☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.

☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.

☐ Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. (PC296).

MOTION for                      by                      People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED.

PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s)                      for                      mo./ yrs. ☐ New term

☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by                      Comply with all directions of Assessor.

☐ S                      DEJ Admin Fees (PC1001.18(a) and PC1001.90) ☐ Forthwith ☐ By                     

☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s)                      set aside and charges dismissed.

☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.

☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☐ forthwith ☐ by                      to ☐ Assessment Unit ☐ Probation Department ☐ Probation to interview.

☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.

☐ Pre-sentence report waived. ☐ Court Collections for payment of attorney fees \*\* \$                     ☐ Indigent as to attorney fees.

**\*\* The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.**

HEARINGS ☐ Set continued on motion of ☐ People ☒ Defense ☐ Opposed ☒ Unopposed ☐ By Stipulation, ☐ Statutory time is WAIVED

DEFENDANT IS ORDERED TO APPEAR for ☐                      on                      at                      in Dept.                     

<input type="checkbox"/> Re: Attorney	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>	<input type="checkbox"/> Motion/PC1538.5	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>
<input type="checkbox"/> Arraignment	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>	<input type="checkbox"/> Jury / Court Trial	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>
<input type="checkbox"/> Bail Review	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>	<input type="checkbox"/> Sentencing	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>
<input type="checkbox"/> Readiness/DWT	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>	<input type="checkbox"/> Prob. Hrg. & Sent	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>
<input type="checkbox"/> Prelim Exam	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>	<input checked="" type="checkbox"/> DEJ <input type="checkbox"/> Drug Ct	<u>                    </u> at <u>                    </u> in Dept. <u>                    </u>
Time Estimate: <u>                    </u> hr/day	Set with case(s): <u>                    </u>	<u>                    </u> proof of enrollment	<input type="checkbox"/> to refile for revocation

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on                      at                      by Forensic Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on                      at                      in Dept.                      of the Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.

☐ Book & Release - Report on                      at                      to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

indigent slot previously recommended.

Final continuance for proof of enrollment. If proof is absent at next hearing criminal proceedings will be reinstated.

CUSTODY STATUS Defendant ☐ REMANDED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$                     

☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR

☒ REMAINS AT LIBERTY ☒ RELEASED: ☐ on bail previously posted. ☐ after booking ☒ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions

☐ same terms and conditions ☐ to an authorized representative of:                      on                      at                     

☐ Release Conditions: ☐ Attend                      self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.

☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.

☐ Def. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of deferred entry of judgment. ☐ Have no contact with / stay away from:                      ☐ Protective Order issued.

☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$                      ☐ No Bail ☐ ISSUED ON:                     

☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ HOLD issuance to DATE SET ABOVE.

☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON:                     

☐ Affidavit requested. Due by:                     

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ reassumption of liability filed.

☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$                      within 30 days ☐ cost waived

☐ Bond #:                      Bond \$                      Bond Co.                     

Date: 2-24-12 ATTEST A TRUE COPY, Clerk of the Superior Court by                      Deputy

Distribution by: CB on 2-24-12 to:                      Jcl                      Def. Atty. Pros. Prob. R&R Interpreter Acct. Assessment Other:

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

☐ Central Division ☐ East County Division ☒ North County Division ☐ South County Division Waivers: ☐ Time ☐ 4h

PEOPLE vs. [REDACTED] A STATUS: OTHER ☐ BB ☐ CB (Y/N)

CASE # [REDACTED] PROS. # [REDACTED] DOB: [REDACTED] BKG # [REDACTED] CTS:        days        hrs.

DATE: 02-21-12 AT 08:30 DEPT. # 006 INTERP:        ☐ Spanish ☐ Sworn ☐ Oath on File

JUDGE/COMM/TEMP JUDGE: RTMERRIE A. TAGOTTA ☐ STIP. FILED REPORTER:       

CLERK: [REDACTED] CSR # / COUNTER #: JANET GIANANTONIO, CSR 12717

CHARGE(S): 1) PC15377(A) 1764 13TH DAY

FUTURE DATES: C. Ryan ☐ CONFIRMED ☐ VACATED B 31-1-50

Attorney for the People (DDA/DCA/DAG) ☐ Supervised Cert. Legal Intern Patrick Maloney Attorney for Defendant (PD/APD/OAC/Retained/Counseling) ☐ Supervised Cert. Legal Intern

DEFENDANT: ☐ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☒ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

Case called for ☐ FTA ☐ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion

☒ DEJ for enrollment ☐ Full ☐ Limited Protective Order Expires:        Protected Party:       

☐ Warrant Order issued on        ☐ Held to today ☐ Cleared ☐ Outstanding. fee = 0

CASE TRANSFERRED TO DEPT.        TIME ESTIMATE:       

Complaint amended ☐ by interlineation to read:

☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)

☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other:       

☐ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.

☐ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.

☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.

☐ Defendant waives reading of complaint. ☐ Def. states true name is        ☐ on complaint (        line)

☐ DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged ☐ on amended complaint.

☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977

☐ bail review ☐ jury trial ☐ preliminary hearing

**COUNSEL** ☐ MOTION FOR APPOINTMENT

Atty:       

☐ Motion for self-representation is ☐ CONVICTION ☐ Def. is sworn at

DEFENDANT PLEADS: ☐ GUILTY

☐ Admits ☐ Charges contained in amended/am

☐ On motion of Court/People/Defendant

☐ Plea form executed and filed ☐ Pe

☐ Court finds a knowing and intelligent

ADVISALS: ☐ Theft - PC666 ☐ WAIVERS: ☐ Arbuckle ☐ Blakely ☐ PC1210 ☐ Drug Court ☐ accepted

☐ Stipulated bindover. ☐ Case certify

☐ Defendant to provide DNA database

ultimate Public Defender ☐ Office of Assigned Counsel

ant Panel ☐ Defendant to retain counsel.

☐ OAC appointed - legal runner/reasonable ancillary services.

1 plea. ☐ VC23152(a) / (b) allegation(s)       

lesser included offense of        ☐ VOP

ation(s)/Prior(s)        ☐ VOP

**MOTION** for       

PC1000 ☐ Defendant's motion for ☐

☐ Time waived for sentencing ☐ S.D. I

☐ \$        DEJ Admin Fees (I

☐ Defendant has satisfactorily COMPLETE

☐ Defendant has FAILED to satisfactorily

☐ Court makes a finding of guilt to the ch

Disposal Received all 3 credits @ plea MINUTES.

Informati        VED.

☐ with ☐ for        comply w       

       set aside and charges dismissed.

unpaid fees pertaining thereto deleted.

**REFERRALS** Report ☐ forthwith ☐

☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.

☐ Pre-sentence report waived. ☐ Court Collections for payment of attorney fees \*\* \$        ☐ indigent as to attorney fees.

\*\* The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

**HEARINGS** Set/continued on motion of ☐ People ☒ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, ☐ Statutory time is WAIVED

DEFENDANT IS ORDERED TO APPEAR for ☐ on        at        in Dept.       

☐ Re: Attorney        at        in Dept.        ☐ Motion/PC1538.5        at        in Dept.       

☐ Arraignment        at        in Dept.        ☐ Jury / Court Trial        at        in Dept.       

☐ Bail Review        at        in Dept.        ☐ Sentencing        at        in Dept.       

☐ Readiness/DWT        at        in Dept.        ☐ Prob. Hrg. & Sent        at        in Dept.       

☐ Prelim Exam        at        in Dept.        ☒ DEJ ☐ Drug Ct 2-24-12 at 8:30 in Dept. 6

Time Estimate:        hr/day Set with case(s): Enrollment ☐ to trail for revocation

**MENTAL HEALTH** ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on        at        by Forensic Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on        at        in Dept.        of the Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

**OTHER** ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.

☐ Book & Release - Report on        at        to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

**CUSTODY STATUS** Defendant ☐ REMANDED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$       

☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR

☒ REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted. ☐ after booking ☒ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions

☐ same terms and conditions ☐ to an authorized representative of:        on        at       

☐ Release Conditions: ☐ Attend        self-help mgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.

☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.

☐ Def. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of deferred entry of judgment. ☐ Have no contact with / stay away from:        ☐ Protective Order issued.

☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

**WARRANT** ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$        ☐ No Bail ☐ ISSUED ON:       

☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ HOLD issuance to DATE SET ABOVE.

☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON:       

☐ Affidavit requested. Due by:       

**BAIL** ☐ is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.

☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$        within 30 days ☐ cost waived

☐ Bond #:        Bond Co.       

Date:        ATTEST A TRUE COPY, Clerk of the Superior Court by        Deputy

Distribution by:        on        to: Jail Def. Atty. Pros. Prob. R&R Interpreter Accl. Assessment Other:

**SUPERIOR COURT OF CALIFORNIA, COUNTY of SAN DIEGO**

☐ Central Division, 220 W. Broadway, San Diego, CA 92101-3814  
☐ East County Division, 250 E. Main St., El Cajon, CA 92020-3941

☒ North County Division, 325 S. Melrose Dr., Vista, CA 92081-6695  
☐ South County Division, 500 3rd Ave., Chula Vista CA 91910-5649

**Substance Abuse Assessment Unit Addendum  
 AGREEMENT FOR DEFERRED ENTRY OF JUDGMENT**

People v. [REDACTED]

Case No(s): [REDACTED]

Judge: LaGrate Dept. 60

Date: 2-6-12

Charges: 1) HS11377(a) 17b4

☒ Re-referral

Confirm/Vacate: \_\_\_\_\_

You have been granted Deferred Entry of Judgment (DEOJ), and subsequently referred to the Substance Abuse Assessment Unit (SAAU) for assignment to a program. You must comply with the terms and conditions indicated below during the term of the DEOJ period. Failure to do so may result in reinstatement of criminal proceedings and a warrant issued for your arrest.

☒ Deferred Entry of Judgment is set for a period of: ☐ 18 months ☐ (Other) \_\_\_\_\_

☒ Attend self-help meetings as directed by the program provider.

☒ Submit to a drug test at any time during the DEOJ period, as directed by the Court or provider. Said drug test will be at a facility designated by the Court and at your own expense.

☒ Remain law abiding in all respects. You are advised that any new offense may cause reinstatement of criminal proceedings.

☒ Attend and successfully complete the following program:

☐ County of San Diego PC1000 program – see referral form attached.

☐ \_\_\_\_\_ (Alternative Program)

☐ Out-of-County / Out-of-State program authorized as listed: \_\_\_\_\_

☐ Submit proof of enrollment in Out-of-County/ Out-of-State program by mail 2 weeks prior to court date.

☐ Show proof of DEOJ Enrollment, Completion or Progress Reports when ordered to do so by the Court or SAAU.

☐ Contact the program within 72 hours ☐ Enroll by: \_\_\_\_\_ ☐ Complete by: \_\_\_\_\_ ☐ Progress Report Due on: \_\_\_\_\_

*Def't must show proof of enrollment to judge (see note)*

Next Court Room Appearance is set for <u>2-21-12</u> at <u>8:30</u> a.m./p.m. in Dept. <u>60</u>
Final Review is set for _____ at _____ a.m./p.m. in Dept. _____
Next SAAU Monitoring Date is set for _____ at _____ a.m./p.m.
Bring the following proof: <input checked="" type="checkbox"/> Enrollment/Completion/Progress Report from the DEOJ/PC1000 Provider.
<input type="checkbox"/> Drug Testing Lab Results. <input type="checkbox"/> PC1001-10 Education completion.

**CONSENT FOR RELEASE OF ALCOHOL OR DRUG ABUSE PATIENT INFORMATION OR RECORDS**

I hereby authorize MRS to disclose drug test records obtained in the course of my DEOJ program to an authorized representative of the Superior Court, County of San Diego. The disclosure of records authorized herein is required for the following purpose: To monitor my compliance with the terms and conditions of the DEOJ program.

I HAVE RECEIVED A COPY of this agreement. I UNDERSTAND if I fail to comply with these terms and conditions, a finding of guilt may be entered and judgment imposed on the charge(s) to which I have pled guilty.

Defendant's signature: [REDACTED] Phone No. [REDACTED]

Defendant's Address: [REDACTED] 92054

Street City State ZIP Code

This order was prepared and executed by: D. Cross Substance Abuse Assessor/Clerk

I, \_\_\_\_\_, certify, I translated the addendum to the defendant from English to his/her native/sign language.

Distribution: Court Case (Original) Defendant (Canary) Assessment Unit (Pink)

**SUPERIOR COURT OF CALIFORNIA, COUNTY of SAN DIEGO**

☐ Central Division, 220 W. Broadway, San Diego, CA 92101-3814  
☐ East County Division, 250 E. Main St., El Cajon, CA 92020-3941

☒ North County Division, 325 S. Melrose Dr., Vista, CA 92081-6695  
☐ South County Division, 500 3rd Ave., Chula Vista CA 91910-5649

**Substance Abuse Assessment Unit Addendum  
 AGREEMENT FOR DEFERRED ENTRY OF JUDGMENT**

People v. [REDACTED]

Case No(s): [REDACTED]

Judge: Lagotta Dept. 6

Date: 1-9-12

Charges: 1) HS 11377(A) 17 b4

☒ Re-referral Confirm/Vacate: \_\_\_\_\_

You have been granted Deferred Entry of Judgment (DEOJ), and subsequently referred to the Substance Abuse Assessment Unit (SAAU) for assignment to a program. You must comply with the terms and conditions indicated below during the term of the DEOJ period. Failure to do so may result in reinstatement of criminal proceedings and a warrant issued for your arrest.

☒ Deferred Entry of Judgment is set for a period of: ☐ 18 months ☐ (Other) \_\_\_\_\_

☒ Attend self-help meetings as directed by the program provider.

☒ Submit to a drug test at any time during the DEOJ period, as directed by the Court or provider. Said drug test will be at a facility designated by the Court and at your own expense.

☒ Remain law abiding in all respects. You are advised that any new offense may cause reinstatement of criminal proceedings.

☒ Attend and successfully complete the following program:

☒ County of San Diego PC1000 program – see referral form attached.

☐ \_\_\_\_\_ (Alternative Program)

☐ Out-of-County / Out-of-State program authorized as listed: \_\_\_\_\_

☐ Submit proof of enrollment in Out-of-County/ Out-of-State program by mail 2 weeks prior to court date.

☒ Show proof of DEOJ Enrollment, Completion or Progress Reports when ordered to do so by the Court or SAAU.

☒ Contact the program within 72 hours ☒ Enroll by: AGM Complete by: \_\_\_\_\_ ☐ Progress Report Due on: \_\_\_\_\_

Def't granted extension due to finances - Last Re-Referral

Next Court Room Appearance is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_  
 Final Review is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_  
 Next SAAU Monitoring Date is set for 2-6-12 at 8:30 a.m./p.m.  
 Bring the following proof: ☒ Enrollment/Completion/Progress Report from the DEOJ/PC1000 Provider.  
☐ Drug Testing Lab Results ☐ PC1001.10 Education completion

**CONSENT FOR RELEASE OF ALCOHOL OR DRUG ABUSE PATIENT INFORMATION OR RECORDS**

I hereby authorize \_\_\_\_\_ to disclose drug test records obtained in the course of my DEOJ program to an authorized representative of the Superior Court, County of San Diego. The disclosure of records authorized herein is required for the following purpose: To monitor my compliance with the terms and conditions of the DEOJ program.

I HAVE RECEIVED A COPY of this agreement. I UNDERSTAND if I fail to comply with these terms and conditions, a finding of guilt may be entered and judgment imposed on the charge(s) to which I have pled guilty.

Defendant's signature: [REDACTED] Phone No. [REDACTED]

Defendant's Address: [REDACTED] State CA ZIP Code 92651

This order was prepared and executed by: [Signature], Substance Abuse Assessor/Clerk

I, \_\_\_\_\_, certify, I translated the addendum to the defendant from English to his/her native/sign language.

Distribution: Court Case (Original) [Signature] Defendant (Canary) Assessment Unit (Pink)

**SUPERIOR COURT OF CALIFORNIA, COUNTY of SAN DIEGO**

☐ Central Division, 220 W. Broadway, San Diego, CA 92101-3814  
☐ East County Division, 250 E. Main St., El Cajon, CA 92020-3941

☒ North County Division, 325 S. Melrose Dr., Vista, CA 92081-6695  
☐ South County Division, 500 3rd Ave., Chula Vista CA 91910-5649

**Substance Abuse Assessment Unit Addendum  
 AGREEMENT FOR DEFERRED ENTRY OF JUDGMENT**

People v. [REDACTED]

Case No(s): [REDACTED]

Judge: LEBOTA Dept. 6

Date: 12-8-11

Charges: HR11877(a)/1764

☒ Re-referral

Confirm/Vacate: \_\_\_\_\_

You have been granted Deferred Entry of Judgment (DEOJ), and subsequently referred to the Substance Abuse Assessment Unit (SAAU) for assignment to a program. You must comply with the terms and conditions indicated below during the term of the DEOJ period. Failure to do so may result in reinstatement of criminal proceedings and a warrant issued for your arrest.

☒ Deferred Entry of Judgment is set for a period of: ☒ 18 months ☐ (Other) \_\_\_\_\_

☒ Attend self-help meetings as directed by the program provider.

☒ Submit to a drug test at any time during the DEOJ period, as directed by the Court or provider. Said drug test will be at a facility designated by the Court and at your own expense.

☒ Remain law abiding in all respects. You are advised that any new offense may cause reinstatement of criminal proceedings.

☒ Attend and successfully complete the following program:

☐ County of San Diego PC1000 program – see referral form attached.

☐ \_\_\_\_\_ (Alternative Program)

☐ Out-of-County / Out-of-State program authorized as listed: \_\_\_\_\_

☐ Submit proof of enrollment in Out-of-County/ Out-of-State program by mail 2 weeks prior to court date.

☒ Show proof of DEOJ Enrollment, Completion or Progress Reports when ordered to do so by the Court or SAAU.

☒ Contact the program within 72 hours ☒ Enroll by ASAP ☐ Complete by: \_\_\_\_\_ ☐ Progress Report Due on: \_\_\_\_\_

Next Court Room Appearance is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_  
 Final Review is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_  
 Next SAAU Monitoring Date is set for 1-9-12 at 900 a.m./p.m.  
 Bring the following proof: ☒ Enrollment/Completion/Progress Report from the DEOJ/PC1000 Provider.  
☐ Drug Testing Lab Results. ☐ PC1001.10 Education completion.

**CONSENT FOR RELEASE OF ALCOHOL OR DRUG ABUSE PATIENT INFORMATION OR RECORDS**

I hereby authorize \_\_\_\_\_ to disclose drug test records obtained in the course of my DEOJ program to an authorized representative of the Superior Court, County of San Diego. The disclosure of records authorized herein is required for the following purpose: To monitor my compliance with the terms and conditions of the DEOJ program.

I HAVE RECEIVED A COPY of this agreement. I UNDERSTAND if I fail to comply with these terms and conditions, a finding of guilt may be entered and judgment imposed on the charge(s) to which I have pled guilty.

Defendant's signature: [REDACTED] Phone No. \_\_\_\_\_

Defendant's Address: [REDACTED] San Diego 92054  
 Street City State ZIP Code

This order was prepared and executed by: [Signature], Substance Abuse Assessor/Clerk

I, \_\_\_\_\_, certify, I translated the addendum to the defendant from English to his/her native/sign language.

Distribution: Court Case (Original)

Defendant (Canary)

Assessment Unit (Pink)

**SUPERIOR COURT OF CALIFORNIA, COUNTY of SAN DIEGO**

☐ Central Division, 220 W. Broadway, San Diego, CA 92101-3814  
☐ East County Division, 250 E. Main St., El Cajon, CA 92020-3941

☒ North County Division, 325 S. Melrose Dr., Vista, CA 92081-6695  
☐ South County Division, 500 3rd Ave., Chula Vista CA 91910-5649

**Substance Abuse Assessment Unit Addendum  
 AGREEMENT FOR DEFERRED ENTRY OF JUDGMENT**

People v. [REDACTED]

Case No(s): [REDACTED]

Judge: LAGOTTA Dept. 6

Date: 11-8-11

Charges: HS11377(a)/1764

☒ Re-referral

Confirm/Vacate: \_\_\_\_\_

You have been granted Deferred Entry of Judgment (DEOJ), and subsequently referred to the Substance Abuse Assessment Unit (SAAU) for assignment to a program. You must comply with the terms and conditions indicated below during the term of the DEOJ period. Failure to do so may result in reinstatement of criminal proceedings and a warrant issued for your arrest.

- ☐ Deferred Entry of Judgment is set for a period of: ☐ 18 months ☐ (Other) \_\_\_\_\_
- ☐ Attend self-help meetings as directed by the program provider.
- ☐ Submit to a drug test at any time during the DEOJ period, as directed by the Court or provider. Said drug test will be at a facility designated by the Court and at your own expense.
- ☐ Remain law abiding in all respects. You are advised that any new offense may cause reinstatement of criminal proceedings.
- ☒ Attend and successfully complete the following program: MHS
  - ☐ County of San Diego PC1000 program – see referral form attached.
  - ☐ \_\_\_\_\_ (Alternative Program)
  - ☐ Out-of-County / Out-of-State program authorized as listed: \_\_\_\_\_
- ☐ Submit proof of enrollment in Out-of-County/ Out-of-State program by mail 2 weeks prior to court date.
- ☐ Show proof of DEOJ Enrollment, Completion or Progress Reports when ordered to do so by the Court or SAAU.
- ☐ Contact the program within 72 hours ☐ Enroll by: \_\_\_\_\_ ☐ Complete by: \_\_\_\_\_ ☐ Progress Report Due on: \_\_\_\_\_

Next Court Room Appearance is set for _____ at _____ a.m./p.m. in Dept. _____
Final Review is set for _____ at _____ a.m./p.m. in Dept. _____
Next SAAU Monitoring Date is set for <u>12-8-11</u> at <u>9:00</u> a.m./p.m.
Bring the following proof: <input checked="" type="checkbox"/> Enrollment/Completion/Progress Report from the DEOJ/PC1000 Provider
<input type="checkbox"/> Drug Testing Lab Results. <input type="checkbox"/> PC1001.10 Education completion

**CONSENT FOR RELEASE OF ALCOHOL OR DRUG ABUSE PATIENT INFORMATION OR RECORDS**

I hereby authorize MHS to disclose drug test records obtained in the course of my DEOJ program to an authorized representative of the Superior Court, County of San Diego. The disclosure of records authorized herein is required for the following purpose: To monitor my compliance with the terms and conditions of the DEOJ program.

I HAVE RECEIVED A COPY of this agreement. I UNDERSTAND if I fail to comply with these terms and conditions, a finding of guilt may be entered and judgment imposed on the charge(s) to which I have pled guilty.

Defendant's signature: [REDACTED] Phone No: [REDACTED]

Defendant's Address: [REDACTED] CIA 92054  
 Street City State ZIP Code

This order was prepared and executed by: [Signature], Substance Abuse Assessor/Clerk  
 I, \_\_\_\_\_, certify, I translated the addendum to the defendant from English to his/her native/sign language.

**SUPERIOR COURT OF CALIFORNIA, COUNTY of SAN DIEGO**

☐ Central Division, 220 W. Broadway, San Diego, CA 92101-3814  
☐ East County Division, 250 E. Main St., El Cajon, CA 92020-3941

☒ North County Division, 325 S. Melrose Dr., Vista, CA 92081-6695  
☐ South County Division, 500 3rd Ave., Chula Vista CA 91910-5649

**Substance Abuse Assessment Unit Addendum  
 AGREEMENT FOR DEFERRED ENTRY OF JUDGMENT**

People v. [REDACTED]

Case No(s): [REDACTED]

Judge: Lagotta Dept. 6

Date: 10/9/11

Charges: 1) HB 11377 (A)

☐ Re-referral

Confirm/Vacate: \_\_\_\_\_

You have been granted Deferred Entry of Judgment (DEOJ), and subsequently referred to the Substance Abuse Assessment Unit (SAAU) for assignment to a program. You must comply with the terms and conditions indicated below during the term of the DEOJ period. Failure to do so may result in reinstatement of criminal proceedings and a warrant issued for your arrest.

☒ Deferred Entry of Judgment is set for a period of: ☒ 18 months ☐ (Other) \_\_\_\_\_

☒ Attend self-help meetings as directed by the program provider.

☒ Submit to a drug test at any time during the DEOJ period, as directed by the Court or provider. Said drug test will be at a facility designated by the Court and at your own expense.

☒ Remain law abiding in all respects. You are advised that any new offense may cause reinstatement of criminal proceedings.

☒ Attend and successfully complete the following program:

☐ County of San Diego PC1000 program – see referral form attached.

☒ Kaiser Substance Abuse (Alternative Program)

☐ Out-of-County / Out-of-State program authorized as listed: Counseling Regarding Personal on Value Issues.

☐ Submit proof of enrollment in Out-of-County/ Out-of-State program by mail 2 weeks prior to court date.

☐ Show proof of DEOJ Enrollment, Completion or Progress Reports when ordered to do so by the Court or SAAU.

☐ Contact the program within 72 hours ☐ Enroll by: \_\_\_\_\_ ☐ Complete by: \_\_\_\_\_ ☐ Progress Report Due on: \_\_\_\_\_

Next Court Room Appearance is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_  
 Final Review is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in Dept. \_\_\_\_\_  
 Next SAAU Monitoring Date is set for 11-8-11 at 8:30 a.m./p.m.  
 Bring the following proof: ☐ Enrollment/Completion/Progress Report from the DEOJ/PC1000 Provider.  
☐ Drug Testing Lab Results. ☐ PC1001.10 Education completion. Kaiser Intake Form.

**CONSENT FOR RELEASE OF ALCOHOL OR DRUG ABUSE PATIENT INFORMATION OR RECORDS**

I hereby authorize Kaiser to disclose drug test records obtained in the course of my DEOJ program to an authorized representative of the Superior Court, County of San Diego. The disclosure of records authorized herein is required for the following purpose: To monitor my compliance with the terms and conditions of the DEOJ program.

I HAVE RECEIVED A COPY of this agreement. I UNDERSTAND if I fail to comply with these terms and conditions, a finding of guilt may be entered and judgment imposed on the charge(s) to which I have pled guilty.

Defendant's signature: [REDACTED]

Phone No. \_\_\_\_\_

Defendant's Address: [REDACTED]

Street

City

State

ZIP Code

This order was prepared and executed by: Mancoske, Substance Abuse Assessor/Clerk

I, \_\_\_\_\_, certify, I translated the addendum to the defendant from English to his/her native/sign language.

Distribution: Court Case (Original)

Defendant (Canary)

Assessment Unit (Pink)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
☐ Central Division ☐ East County Division ☒ North County Division ☐ South County Division  
PEOPLE vs. [REDACTED] ASTATUS: BAIL \$ 5000. -  
CASE # [REDACTED] PROS. # [REDACTED] DOB: [REDACTED] BKG # [REDACTED] CTS: [REDACTED]  
DATE: 10-19-11 AT 08:30 DEPT. # 006 INTERP: [REDACTED]  
JUDGE/COMM/TEMP JUDGE: KIMBERLEE A. LAGOTTA ☐ STIP. FILED REPORTER: L. Penfield 8589  
CLERK: C. Botancourt CSR # / COUNTER #:

CHARGE(S): HS11377(A) / 17(b)4  
FUTURE DATES: PR 10-24-11  
☐ CONFIRMED ☒ VACATED

Attorney for the People (CDA/DCA/DAG) ☐ Supervised Cert. Legal Intern  
Attorney for Defendant (PD/APD/OAC/Retained/Counseling) ☐ Supervised Cert. Legal Intern  
DEFENDANT: ☒ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR  
Case called for: ☐ FTA ☐ Arraignment ☐ Bail Review ☒ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion  
☐ DEJ ☐ Full ☐ Limited Protective Order Expires: Protected Party:  
☐ Warrant Ordered/Issued: ☐ Held to today ☐ Cleared ☐ Outstanding.

CASE TRANSFERRED TO DEPT. 17(b)4  
Complaint amended ☐ by interlineation to read: CT 1 - HS11377(A) 17(b)4  
☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☒ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC847(f)  
☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other:  
☐ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.  
☐ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.  
☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.  
☐ Defendant waives reading of complaint. ☐ Def. states true name is \_\_\_\_\_ on complaint (\_\_\_\_) line)  
☐ DEFENDANT PLEADS NOT GUILTY and denies any prior/allegations/separate convictions alleged ☐ on amended complaint.  
☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977  
☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel  
Atty: ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.  
☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.

CONVICTION ☐ Def. is sworn and examined. ☒ Defendant withdraws any previously entered plea.  
DEFENDANT PLEADS: ☒ GUILTY ☐ NO CONTEST to: HS11377(A) 17(b)4 ☐ VC23152(a) / (b)  
☐ Admits \_\_\_\_\_ separate conviction(s) alleged/  
☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of \_\_\_\_\_  
☐ On motion of Court/People/Defendant remaining count(s) \_\_\_\_\_ is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP  
☐ Plea form executed and filed ☐ People vs. West ☐ BAC: \_\_\_\_\_  
☒ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.  
☐ ADVISALS: ☐ Theft - PC666 ☐ DUI - VC23593  
☐ WAIVERS: ☐ Arbutkie ☐ Blakely ☐ Cruz ☐ Harvey ☐ Non-Biological Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.  
☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.  
☐ Stipulated bindover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.

MOTION for \_\_\_\_\_ by ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED.  
PC1000 ☒ Defendant's motion for ☐ reinstatement to ☒ PC1000 granted as to count(s) 1, for 18 (mo) yrs. ☒ New term  
☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☒ Enroll by PER 000 Comply with all directions of Assessor.  
☐ \$ 300. - DEJ Admin Fees (PC1001.15(a) and PC1001.90) ☐ Forthwith ☐ By CTS \$ 300.  
☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) \_\_\_\_\_ set aside and charges dismissed.  
☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.  
☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☒ forthwith ☐ by \_\_\_\_\_ to ☒ Assessment Unit ☐ Probation Department ☐ Probation to Interview.  
☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.  
☐ Pre-sentence report waived. ☐ Court Collections for payment of attorney fees \* \$ \_\_\_\_\_ ☐ Indigent as to attorney fees.  
\* The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Self/continued on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, ☐ Statutory time is WAIVED  
DEFENDANT IS ORDERED TO APPEAR for \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Re: Attorney \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Motion/PC1538.5 \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Arraignment \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Jury / Court Trial \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Bail Review \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Sentencing \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Readiness/DWT \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Prob. Hrg. & Sent \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Prelim Exam \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ DEJ ☐ Drug Ct \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
Time Estimate: \_\_\_\_\_ hr/day Set with case(s): \_\_\_\_\_ ☐ to trail for revocation

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on \_\_\_\_\_ at \_\_\_\_\_ by Forensic  
Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ of the  
Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.  
☐ Book & Release - Report on \_\_\_\_\_ at \_\_\_\_\_ to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

SAAV to monitor

CUSTODY STATUS Defendant ☐ REMANDED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$ \_\_\_\_\_  
☐ PC1275.1 HOLD. ☐ Pre-Trial Services Report Ordered re: SOR  
☐ REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted. ☐ after booking ☒ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions  
☐ same terms and conditions ☐ to an authorized representative of: \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
☐ Release Conditions: ☐ Attend \_\_\_\_\_ self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.  
☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.  
☐ Def. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a  
warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked ☐ for the duration of  
deferred entry of judgment. ☐ Have no contact with / stay away from: \_\_\_\_\_ ☐ Protective Order issued.  
☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted. ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ \_\_\_\_\_ ☐ No Bail ☐ ISSUED ON: \_\_\_\_\_  
☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ HOLD issuance to DATE SET ABOVE.  
☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: \_\_\_\_\_  
☐ Affidavit requested. Due by: \_\_\_\_\_

BAIL is ☒ exonerated ☐ forfeited ☐ Fine from bail, refund balances. ☐ Declaration of non-collusion/ re-assumption of liability filed.  
☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ \_\_\_\_\_ within 30 days ☐ cost waived  
☐ Bond #: \_\_\_\_\_ Bond \$ \_\_\_\_\_ Bond Co. \_\_\_\_\_

ATTEST A TRUE COPY, Clerk of the Superior Court by \_\_\_\_\_ Deputy  
Distribution by: CB on 10/19/11 to: Jd (Def) Atty. Pros. Prob. R&R Interpreter Accl. Assessment Other. \_\_\_\_\_  
SDSC CRN-150 (Rev 11/10) MISDEMEANOR/FELONY - PRE-DISPOSITION MINUTES

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO  
☐ Central Division ☐ East County Division ☒ North County Division ☐ South County Division  
PEOPLE vs. [REDACTED] STATUS: Bond 5,000 ☒ BB ☐ CB (Y/N)  
CASE # [REDACTED] PROS. # [REDACTED] DOB: [REDACTED] BKG # [REDACTED] CTS: 40 days 0 hrs.  
DATE: 10-13-11 AT 01:30 PT. # 014 INTERP: [REDACTED] ☐ Spanish ☐ Sworn ☐ Oath on File  
JUDGE/COMM. JUDGE: MARSHALL Y. HOCKETT ☐ STIP. FILED ☐ REPORTED ☐ NON-REPORTED  
CLERK: [Signature] CSR # / COUNTER #: \_\_\_\_\_

CHARGE(S): HS11377(A) 6TH DAY  
FUTURE DATES: FR 10-19-11 PF 10-24-11 ☒ CONFIRMED ☐ VACATED  
C. VUG P.D. 4B 57-63 50

Attorney for the People (DDA/ESA/BAG) ☐ Supervised Cert. Legal Intern Attorney for Defendant (PD/APD/OAC/Retained/Counseling) ☐ Supervised Cert. Legal Intern  
DEFENDANT: ☐ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☒ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR  
Case called for ☐ FTA ☐ Arraignment ☒ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion  
☐ DEJ ☐ Full ☐ Limited Protective Order Expires: \_\_\_\_\_ Protected Party: \_\_\_\_\_  
☐ Warrant Ordered/Issued on \_\_\_\_\_ ☐ Held to today ☐ Cleared ☐ Outstanding.

CASE TRANSFERRED TO DEPT. \_\_\_\_\_ TIME ESTIMATE: \_\_\_\_\_  
Complaint amended ☐ by interlineation to read:  
☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)  
☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other: \_\_\_\_\_  
☐ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.  
☐ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.  
☐ Acknowledgment of advisal of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.  
☐ Defendant waives reading of complaint. ☐ Def. states true name is \_\_\_\_\_ ☐ on complaint \_\_\_\_\_ line)  
☐ DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged ☐ on amended complaint.  
☐ Defendant WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977  
☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☐ MOTION FOR APPOINTED ATTORNEY ☐ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel  
Atty: ☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.  
CONVICTION ☐ Def. is sworn and examined. ☐ Defendant withdraws any previously entered plea.

DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: \_\_\_\_\_ ☐ VC23152(a) / (b)  
☐ Admits \_\_\_\_\_ separate conviction(s) alleged/  
☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of \_\_\_\_\_  
☐ On motion of Court/People/Defendant remaining count(s) \_\_\_\_\_ is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP  
☐ Plea form executed and filed ☐ People vs. West ☐ BAC: \_\_\_\_\_  
☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.  
☐ ADVISALS: ☐ Theft - PC666 ☐ DUI - VC23593  
☐ WAIVERS: ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.  
☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.  
☐ Stipulated blindcover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.

MOTION for \_\_\_\_\_ by ☐ People ☐ Defendant ☐ with ☐ without objection ☐ GRANTED ☐ DENIED.

PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s) \_\_\_\_\_ for \_\_\_\_\_ mo./yrs. ☐ New term  
☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by \_\_\_\_\_ Comply with all directions of Assessor.  
☐ \$ \_\_\_\_\_ DEJ Admin Fees (PC1001.16(a) and PC1001.90) ☐ Forthwith ☐ By \_\_\_\_\_  
☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) \_\_\_\_\_ set aside and charges dismissed.  
☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.  
☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☐ forthwith ☐ by \_\_\_\_\_ to ☐ Assessment Unit ☐ Probation Department ☐ Probation to interview.  
☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.  
☐ Pre-sentence report waived. ☐ Court Collections for payment of attorney fees "\$" \_\_\_\_\_ ☐ Indigent as to attorney fees.

\*\* The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS Set/continued on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, ☐ Statutory time is WAIVED  
DEFENDANT IS ORDERED TO APPEAR for ☐ \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Re: Attorney \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Motion/PC1538.5 \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Arraignment \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Jury / Court Trial \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Bail Review \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Sentencing \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☒ Readiness/DWT 10-19-11 at 830 in Dept. 6 ☐ Prob. Hrg. & Sent \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☒ Prelim Exam 10-24-11 at 830 in Dept. S ☐ DEJ ☐ Drug Ct \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Time Estimate: \_\_\_\_\_ hr/day Set with case(s): \_\_\_\_\_ ☐ to fail for revocation

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on \_\_\_\_\_ at \_\_\_\_\_ by Forensic  
Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ of the  
Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.  
☐ Book & Release - Report on \_\_\_\_\_ at \_\_\_\_\_ to ☐ Central ☐ Vista ☐ Las Colinas Detention Facility.

*Def't banded out of custody - Court confirms all future dates*

CUSTODY STATUS Defendant ☐ REMANDED to custody of Sheriff ☐ without bail ☐ with bail set at / increased to / reduced to \$ \_\_\_\_\_  
☐ PC1275.1 HOLD. ☐ Pretrial Services Report Ordered re: SOR  
☒ REMAINS AT LIBERTY ☒ RELEASED: ☐ on bail previously posted. ☐ after booking ☐ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions  
☐ same terms and conditions ☐ to an authorized representative of: \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
☐ Release Conditions: ☐ Attend \_\_\_\_\_ self-help migs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.  
☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.  
☐ Def. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a  
warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of  
deferred entry of judgment. ☐ Have no contact with / stay away from: \_\_\_\_\_ ☐ Protective Order issued.  
☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.

WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ \_\_\_\_\_ ☐ No Bail ☐ ISSUED ON: \_\_\_\_\_  
☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ HOLD issuance to DATE SET ABOVE.  
☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: \_\_\_\_\_  
☐ Affidavit requested. Due by: \_\_\_\_\_

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance ☐ Declaration of non-collusion/ reassumption of liability filed.  
☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ \_\_\_\_\_ within 30 days ☐ cost waived  
☐ Bond #: \_\_\_\_\_ Bond \$ \_\_\_\_\_ Bond Co. \_\_\_\_\_

Date: \_\_\_\_\_ ATTEST A TRUE COPY, Clerk of the Superior Court by \_\_\_\_\_ Deputy

Distribution by: \_\_\_\_\_ on \_\_\_\_\_ to: Jail Def. Atty. Pros. Prob. R&R Interpreter Acct. Assessment Other: \_\_\_\_\_

SUI COURT OF CALIFORNIA, COUNTY OF S: EGO  
☐ Central Division ☐ East County Division ☒ North County Division ☐ South County Division  
PEOPLE vs. [REDACTED] STATUS: cust ☐ BB ☐ CB (Y/N)  
CASE # [REDACTED] ROS # [REDACTED] DOB [REDACTED] KG # [REDACTED] CTS: \_\_\_\_\_ days \_\_\_\_\_ hrs.  
DATE: 10-11-11 AT 1:30 DEPT. # 14 INTERP: \_\_\_\_\_ ☐ Spanish ☐ Sworn ☐ Oath on File  
JUDGE/COMMITTEE/JUDGE: MARSHALL Y. HOCKETT ☐ STIP. FILED REPORTED BY: Carmona USP #3292  
CLERK: Emore CSR # / COUNTER #: \_\_\_\_\_

CHARGE(S): 1) H811377(w)

FUTURE DATES: USA static ☐ CONFIRMED ☐ VACATED

Attorney for the People (DDA/BCA/DAG) ☐ Supervised Court Legal Intern Attorney for Defendant (PD/APD/OAC/Retained/Counselor) ☐ Supervised Court Legal Intern  
DEFENDANT: ☒ PRESENT ☐ VIA AUDIO VIDEO ☐ SELF REPRESENTED ☐ NOT PRESENT ☐ NOT PRODUCED ☐ FAILED TO APPEAR

Case called for ☐ FTA ☒ Arraignment ☐ Bail Review ☐ Readiness/DWT ☐ Jury Trial ☐ Preliminary Examination ☐ Motion  
☐ DEJ ☐ Full ☐ Limited Protective Order Expires: \_\_\_\_\_ Protected Party: \_\_\_\_\_  
☐ Warrant Ordered/Issued on \_\_\_\_\_ ☐ Held to today ☐ Cleared ☐ Outstanding.

CASE TRANSFERRED TO DEPT. \_\_\_\_\_ TIME ESTIMATE: \_\_\_\_\_

Complaint amended ☐ by interlineation to read:  
☐ Amended ☐ Amendment to ☐ complaint filed ☐ charging ☐ adding ☐ VC23103 (a) pursuant to VC23103.5 ☐ VC22107, VC21658(a), PC647(f)  
☐ as INFRACTION(S) pursuant to PC17(d)(2). ☐ other: \_\_\_\_\_  
☒ Defendant advised of and waives the right to a separate and conflict-free attorney / interpreter for this court appearance.  
☒ Defendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order.  
☒ Acknowledgment of advice of constitutional rights signed and filed. ☐ Defendant has received copy of complaint.  
☒ Defendant waives reading of complaint. ☐ Deft. states true name is \_\_\_\_\_ on complaint (\_\_\_\_ line)  
☒ DEFENDANT PLEADS NOT GUILTY and denies any prior/allegations/separate convictions alleged ☐ on amended complaint.  
☐ DEFENDANT WAIVES: ☐ time for speedy trial ☐ 10 day/60 day statutory time for preliminary hearing ☐ personal presence ☐ per PC977  
☐ bail review ☐ jury trial ☐ preliminary hearing

COUNSEL ☒ MOTION FOR APPOINTED ATTORNEY ☒ Granted ☐ Public Defender ☐ Alternate Public Defender ☐ Office of Assigned Counsel  
Atty: ☐ Denied ☐ Referred to Near Indigent Panel ☐ Defendant to retain counsel.

☐ Motion for self-representation is ☐ granted ☐ denied. ☐ Faretta/Lopez Waiver signed & filed. ☐ OAC appointed - legal runner/reasonable ancillary services.  
CONVICTION ☐ Deft. is sworn and examined. ☐ Defendant withdraws any previously entered plea.

DEFENDANT PLEADS: ☐ GUILTY ☐ NO CONTEST to: \_\_\_\_\_ ☐ VC23152(a) / (b)  
☐ Admits \_\_\_\_\_ separate conviction(s) alleged/  
☐ Charges contained in amended/amendment to complaint. ☐ VC23103(a) per 23103.5 ☐ as a lesser included offense of \_\_\_\_\_  
☐ On motion of Court/People/Defendant remaining count(s) \_\_\_\_\_ is/are DISMISSED. Allegation(s)/Prior(s) remaining is/are STRICKEN ☐ FOJ ☐ VOP  
☐ Plea form executed and filed ☐ People vs. West ☐ BAC: \_\_\_\_\_  
☐ Court finds a knowing and intelligent waiver of constitutional rights and factual basis for the plea.  
☐ ADVISALS: ☐ Theft - PC666 ☐ DUI - VC23593  
☐ WAIVERS: ☐ Arbuckle ☐ Blakely ☐ Cruz ☐ Harvey ☐ Appeal Rights ☐ Non-Bio. Evidence Disposal ☐ Time for sentencing, see JUDGMENT MINUTES.  
☐ PC1210 ☐ Drug Court ☐ accepted ☐ declined.  
☐ Stipulated blindcover. ☐ Case certified as a general jurisdiction matter. ☐ Complaint deemed the Information.

MOTION for OR release by ☒ People ☒ Defendant ☐ with ☐ without objection ☐ GRANTED ☒ DENIED.

PC1000 ☐ Defendant's motion for ☐ reinstatement to ☐ PC1000 granted as to count(s) \_\_\_\_\_ for \_\_\_\_\_ mo./ yrs. ☐ New term  
☐ Time waived for sentencing ☐ S.D. Rescue Mission Program ☐ Enroll by \_\_\_\_\_ Comply with all directions of Assessor.  
☐ \$ \_\_\_\_\_ DEJ Admin Fees (PC1001.16(a) and PC1001.90) ☐ Forthwith ☐ By \_\_\_\_\_  
☐ Defendant has satisfactorily COMPLETED the DEJ Program, previously entered plea to count(s) \_\_\_\_\_ set aside and charges dismissed.  
☐ Defendant has FAILED to satisfactorily perform in the DEJ Program. ☐ PC1000 set aside and any unpaid fees pertaining thereto deleted.  
☐ Court makes a finding of guilt to the charge(s) pled. ☐ Time waived for sentencing, see JUDGMENT.

REFERRALS Report ☐ forthwith ☐ by \_\_\_\_\_ to ☐ Assessment Unit ☐ Probation Department ☐ Probation to interview.  
☐ Pre-sentence ☐ Mini ☐ Supplemental ☐ Psych. ☐ Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution Report Ordered.  
☐ Pre-sentence report waived. ☐ Court Collections for payment of attorney fees \*\* \$ \_\_\_\_\_ ☐ Indigent as to attorney fees.  
\*\* The court finds that the defendant has the ability to repay the County of San Diego for the costs of court appointed attorney fees.

HEARINGS (set/continued on motion of ☐ People ☐ Defense ☐ Opposed ☐ Unopposed ☐ By Stipulation, ☐ Statutory time is WAIVED  
DEFENDANT IS ORDERED TO APPEAR for ☐ \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Re: Attorney \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Motion/PC1538.5 \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Arraignment \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ ☐ Jury / Court Trial \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☒ Bail Review 10-13-11 at 1:30 in Dept. 14 ☐ Sentencing \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☐ Readiness/DWT 10-19-11 at 1:30 in Dept. 6 ☐ Prob. Hrg. & Sent \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
☒ Prelim Exam 10-24-11 at 8:30 in Dept. 5 ☐ DEJ / Drug Ct \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_  
Time Estimate: hr/day Set with case(s): CB270135 ☐ to trail for revocation

MENTAL HEALTH ☐ Proceedings suspended pursuant to PC1368. Mental competency examination on \_\_\_\_\_ at \_\_\_\_\_ by Forensic  
Psychiatry Clinic. Females - Room 1003, Central Division; Males - Central Detention Facility. Hearing on \_\_\_\_\_ at \_\_\_\_\_ in Dept. \_\_\_\_\_ of the  
Central Division. ☐ The Sheriff is ordered to transport the defendant to and from the examination and hearing stated above.

OTHER ☐ Verbal notice of license suspension (DL 310) signed. ☐ Fingerprint form filed.  
☐ Book & Release - Report on \_\_\_\_\_ at \_\_\_\_\_ to ☐ Central ☐ Vista ☐ Las Colinas ☐ Detention Facility.

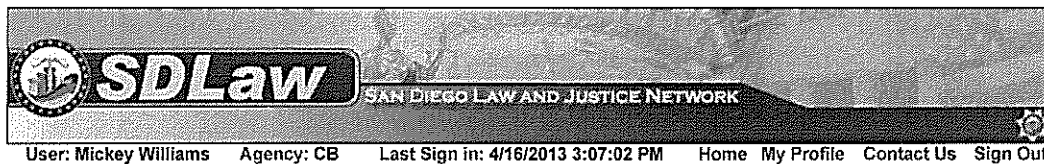
CUSTODY STATUS Defendant ☒ REMANDED to custody of Sheriff ☐ without bail ☒ with bail (set at) increased to / reduced to \$ 5,000

☐ PC1275.1 HOLD. ☒ Pretrial Services Report Ordered re: SOR  
☐ REMAINS AT LIBERTY ☐ RELEASED: ☐ on bail previously posted. ☐ after booking ☐ DEJ ☐ OR ☐ SUPERVISED OR - comply with P.T.S. conditions  
☐ same terms and conditions ☐ to an authorized representative of: \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
☐ Release Conditions: ☐ Attend \_\_\_\_\_ self-help mtgs. per week and submit proof at each court hearing. ☐ Abstain from alcohol.  
☐ Not use or possess any controlled substances without a valid prescription. ☐ Not possess narcotic paraphernalia.  
☐ Deft. waives 4th amendment rights and agrees to submit person, vehicle, place of residence, property, personal effects to search at any time with or without a  
warrant, and with or without reasonable cause, when required by a Probation Officer or other law enforcement officer ☐ until revoked. ☐ for the duration of  
deferred entry of judgment. ☐ Have no contact with / stay away from: \_\_\_\_\_ ☐ Protective Order issued.  
☐ Previously ordered: ☐ 4th WAIVER ☐ continues ☐ deleted ☐ PROTECTIVE ORDER ☐ continues ☐ deleted.  
WARRANT ☐ Arrest ☐ Bench ☐ Warrant ordered ☐ Bail set at \$ \_\_\_\_\_ ☐ No Bail ☐ ISSUED ON: \_\_\_\_\_  
☐ Schedule for hearing. ☐ Mandatory appearance. ☐ Night service authorized. ☐ Cash bail may be forfeited. ☐ HOLD issuance to DATE SET ABOVE.  
☐ Warrant previously ordered/issued ☐ remains outstanding ☐ rescinded ☐ RECALLED ON: \_\_\_\_\_  
☐ Affidavit requested. Due by: \_\_\_\_\_

BAIL is ☐ exonerated ☐ forfeited ☐ Fine from bail, refund balance. ☐ Declaration of non-collusion/ re-assumption of liability filed.  
☐ Bail forfeiture is set aside and bond is ☐ reinstated ☐ exonerated ☐ upon payment of court cost \$ \_\_\_\_\_ within 30 days ☐ cost waived  
☐ Bond #: \_\_\_\_\_ Bond \$ \_\_\_\_\_ Bond Co. \_\_\_\_\_

Date: \_\_\_\_\_ ATTEST A TRUE COPY, Clerk of the Superior Court by \_\_\_\_\_ Deputy  
Distribution by: \_\_\_\_\_ on \_\_\_\_\_ to: \_\_\_\_\_ Atty. Pros. Prob. R&R Interpreter Acct. Assessment Other MS

26



eJIMS Inmate Query Result

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4/18/2013 6:10:00 AM

**Notation:****CB = Cell Block, HT = Height, M = Middle Initial, R = Race, S = Sex, WT = Weight****Detention Facilities:**

CVPD = Chula Vista PD Detention Facility

DDF = \*\*\*\*\* Descanso Detention Facility closed on 06/19/2009. \*\*\*\*\*

EMDF = East Mesa Detention Facility

GBDF = George Bailey Detention Facility

LCDF = Las Colinas Detention Facility

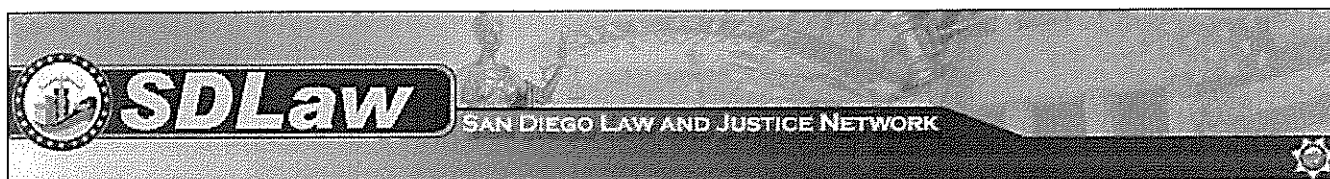
SBDF = South Bay Detention Facility

SDCJ = San Diego Central Jail

VDF = Vista Detention Facility

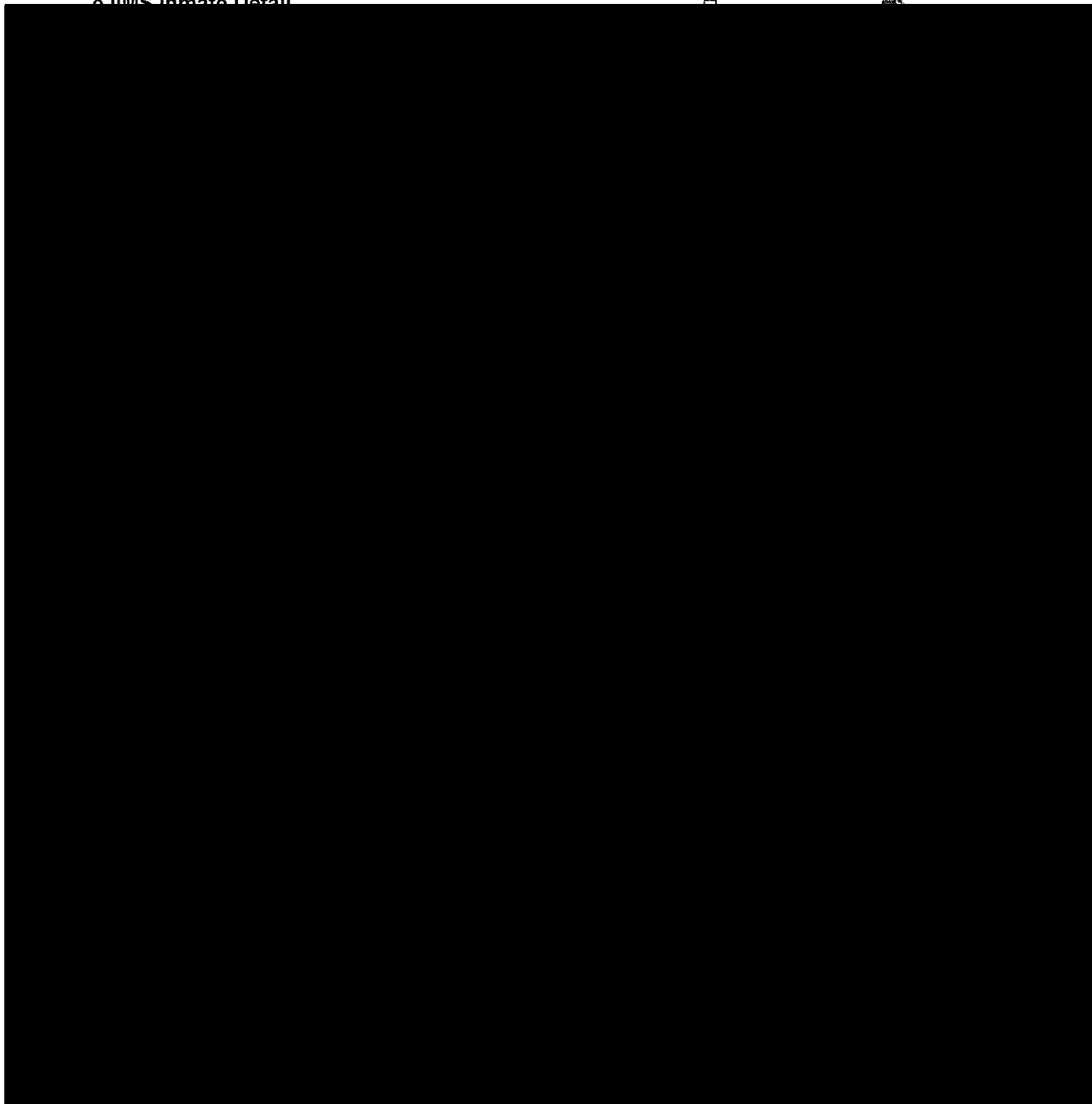
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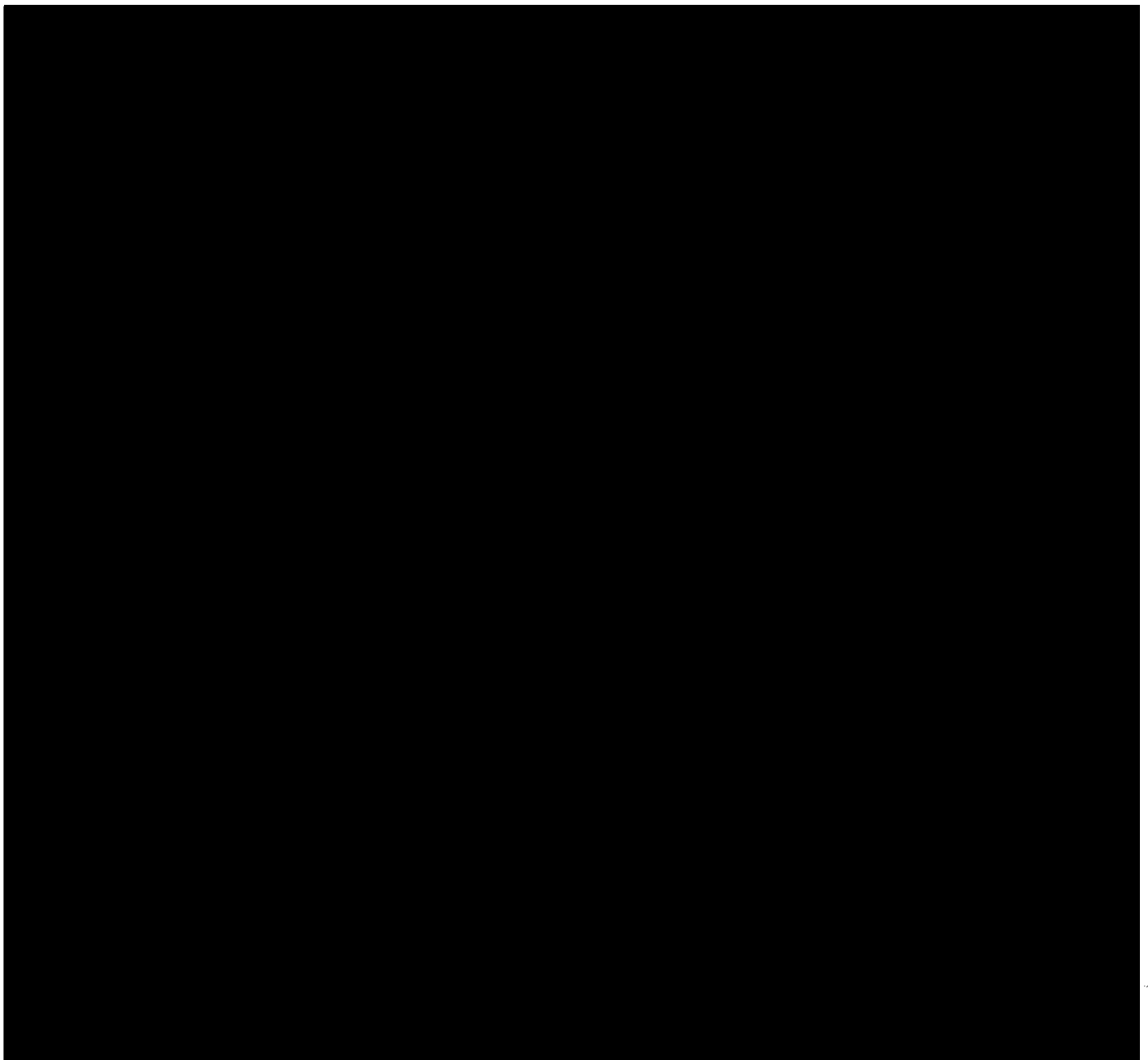
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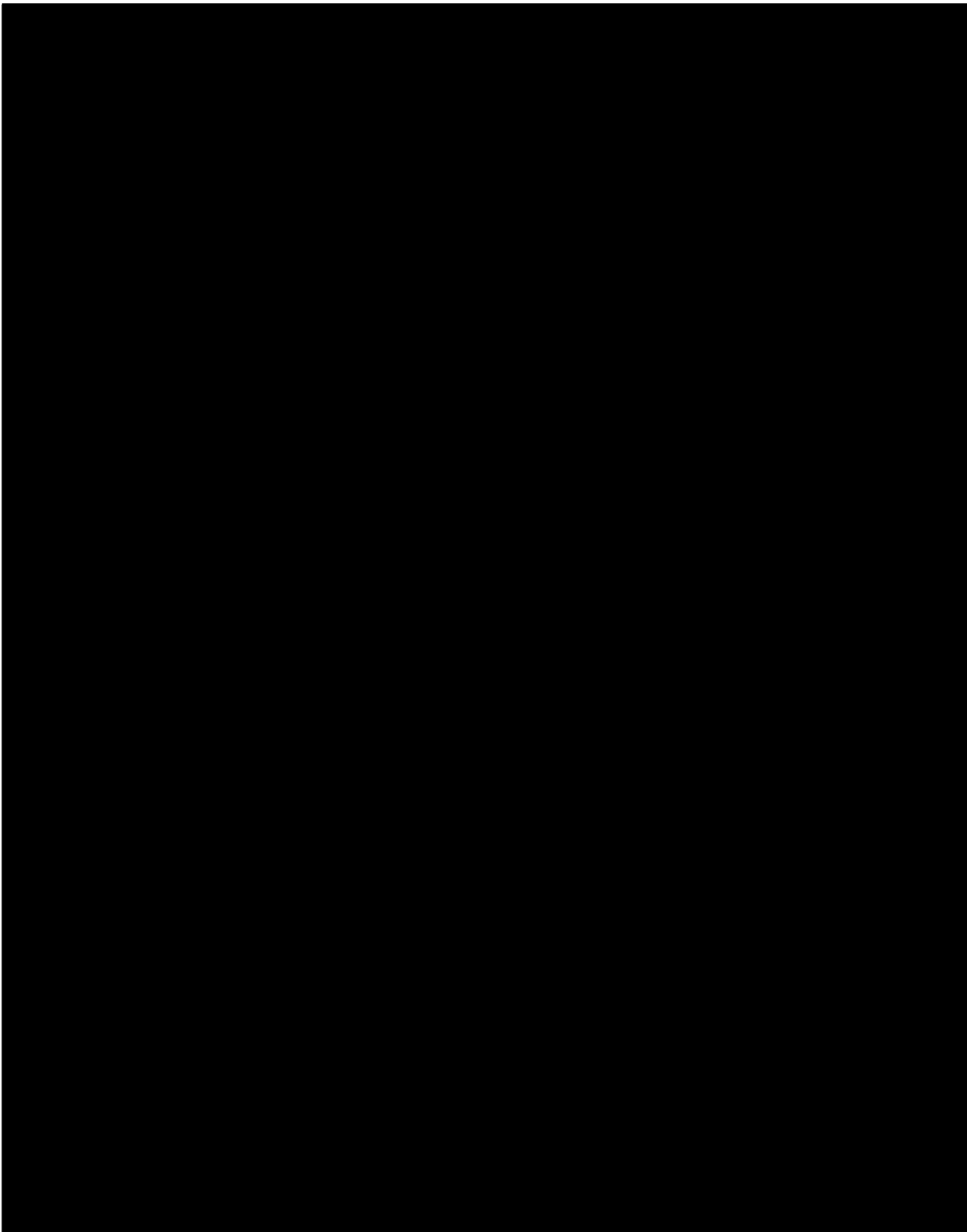


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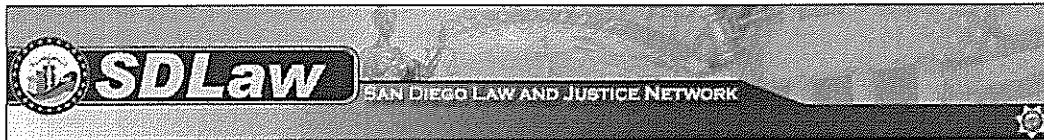
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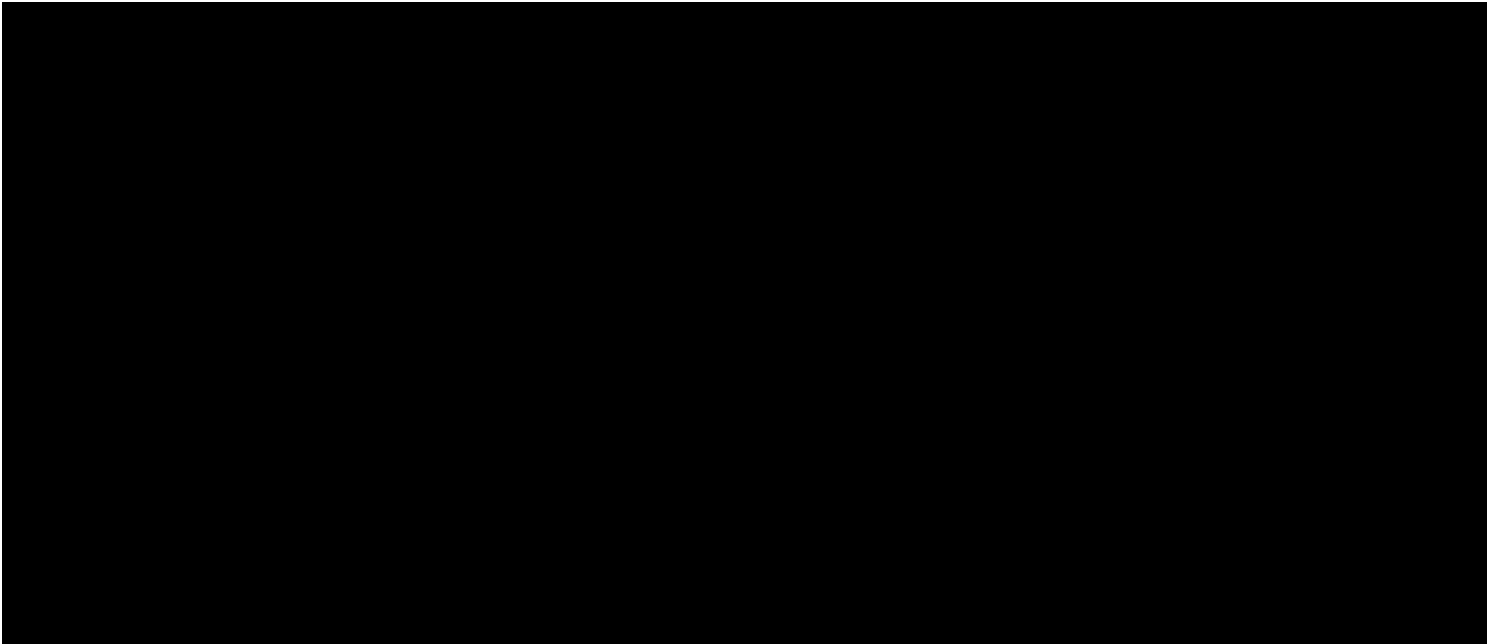


eJIMS Inmate Booking History

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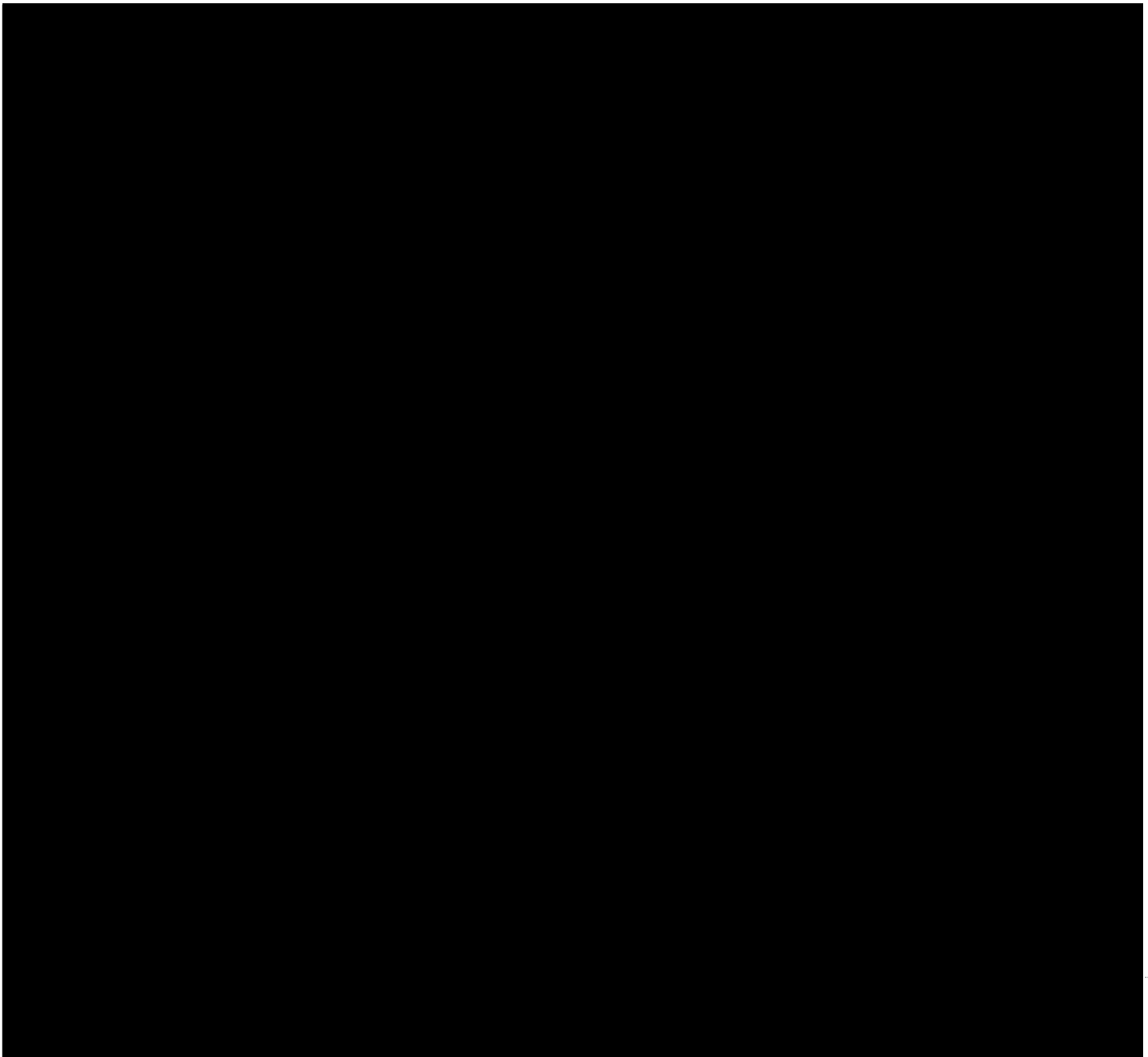
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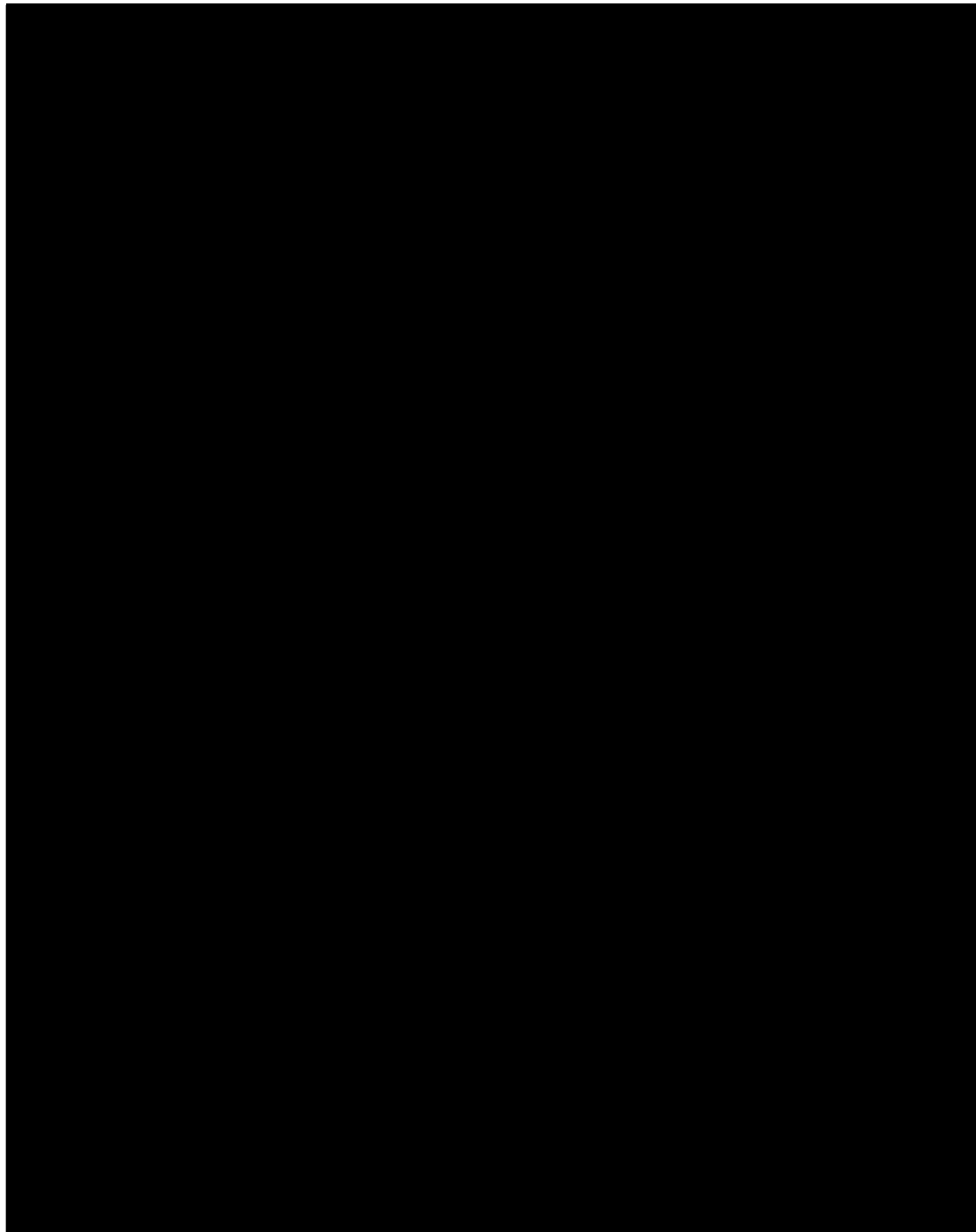
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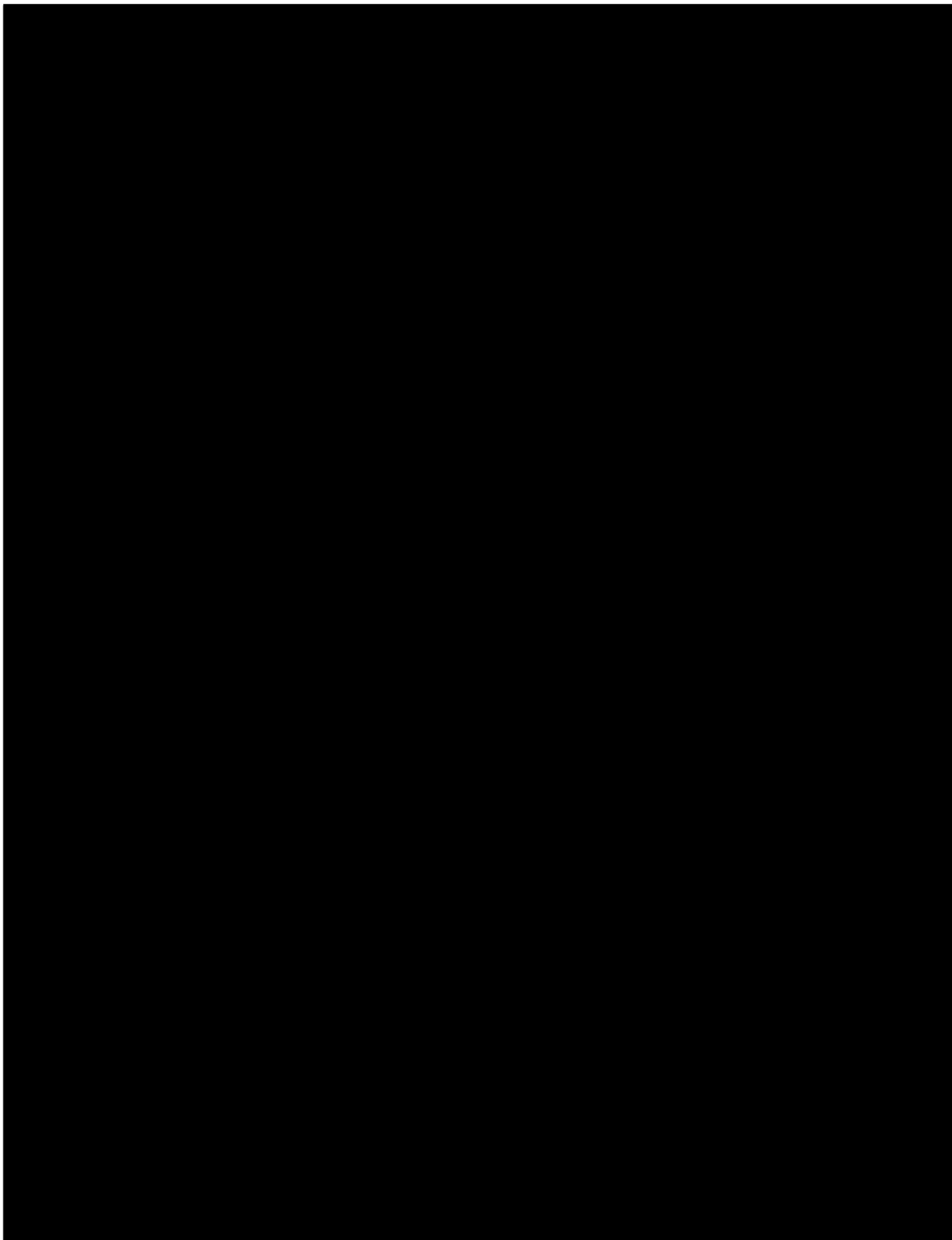


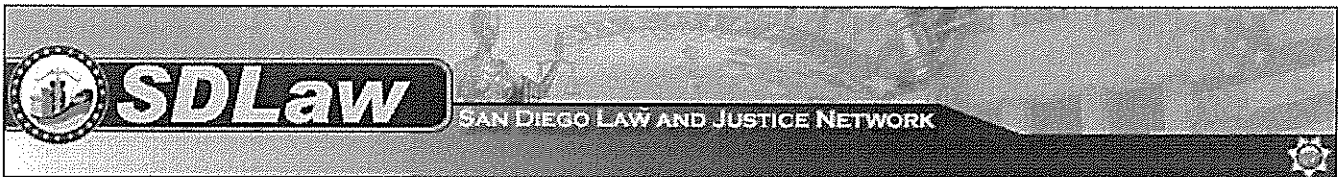
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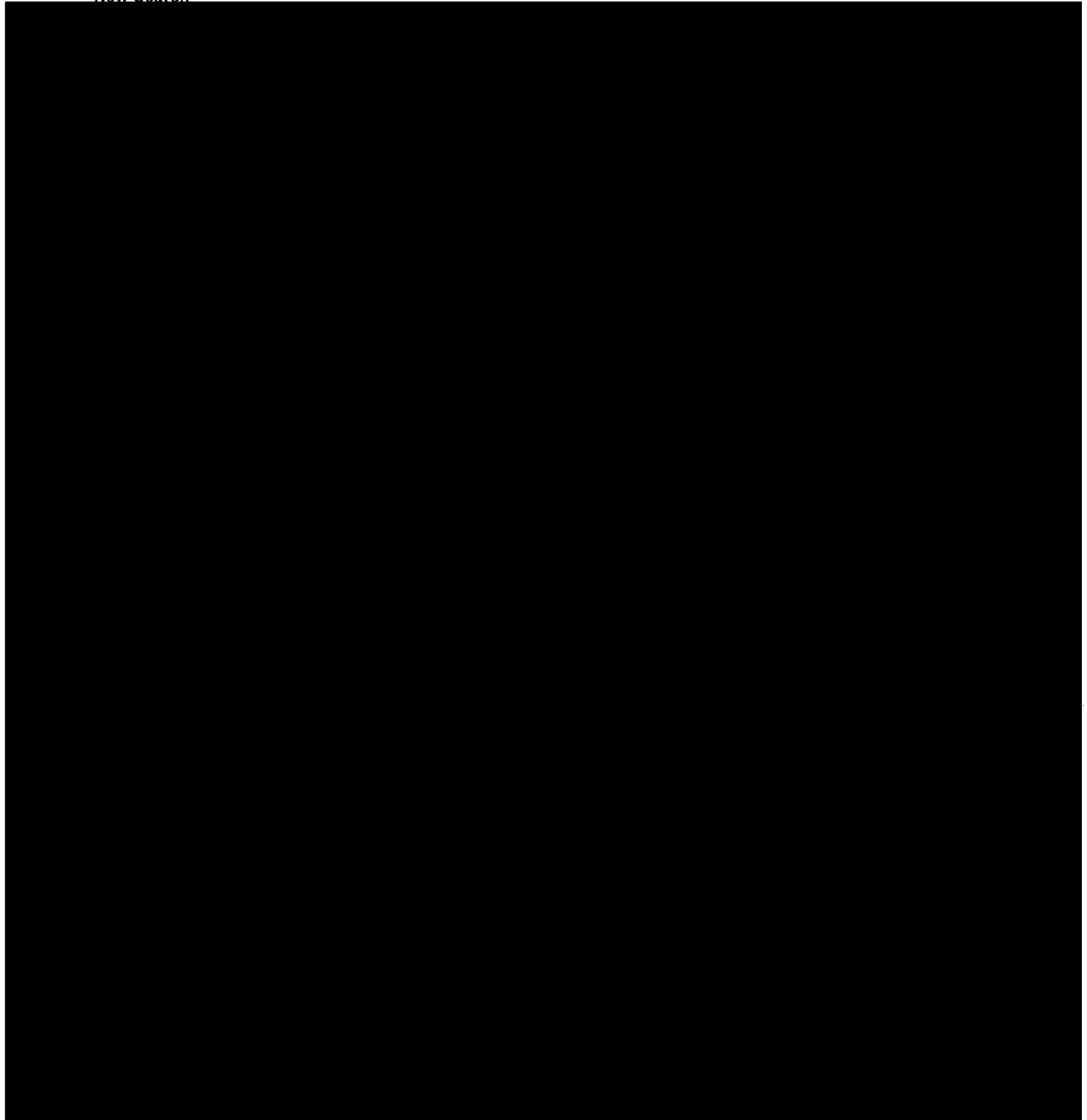
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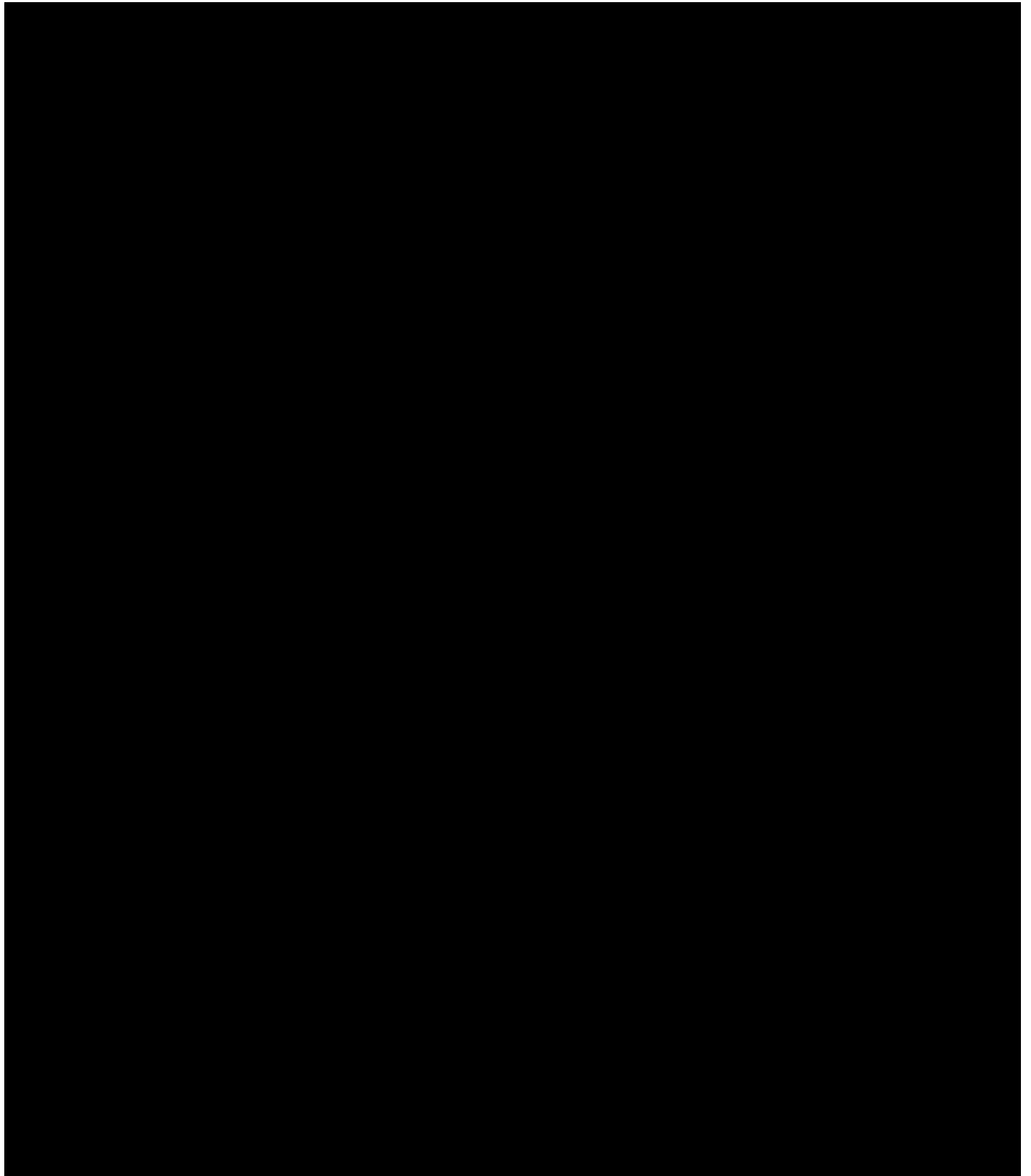
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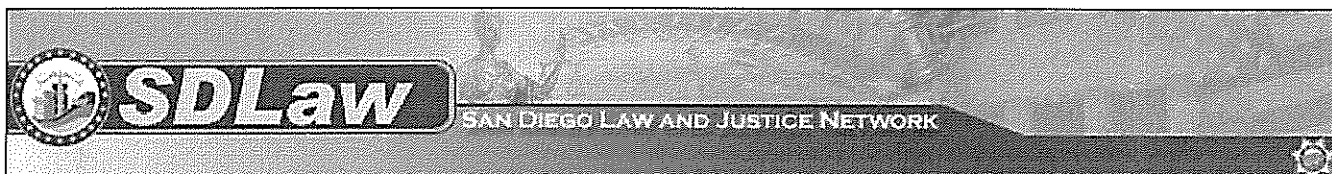


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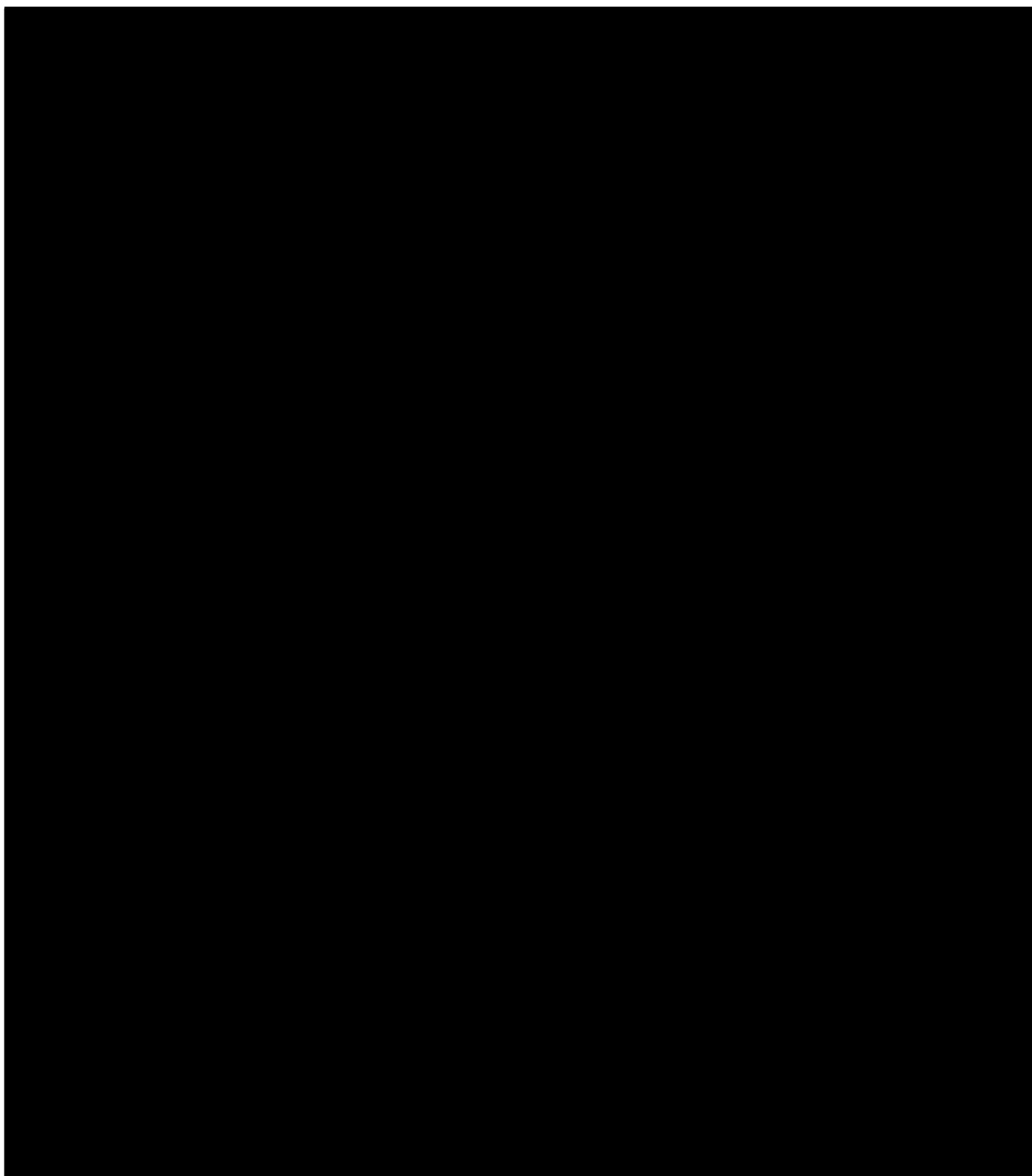


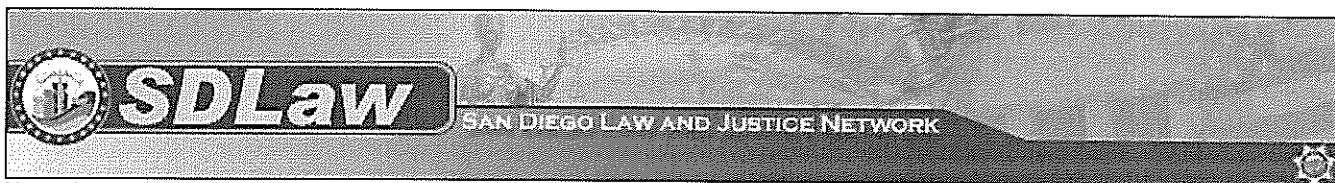


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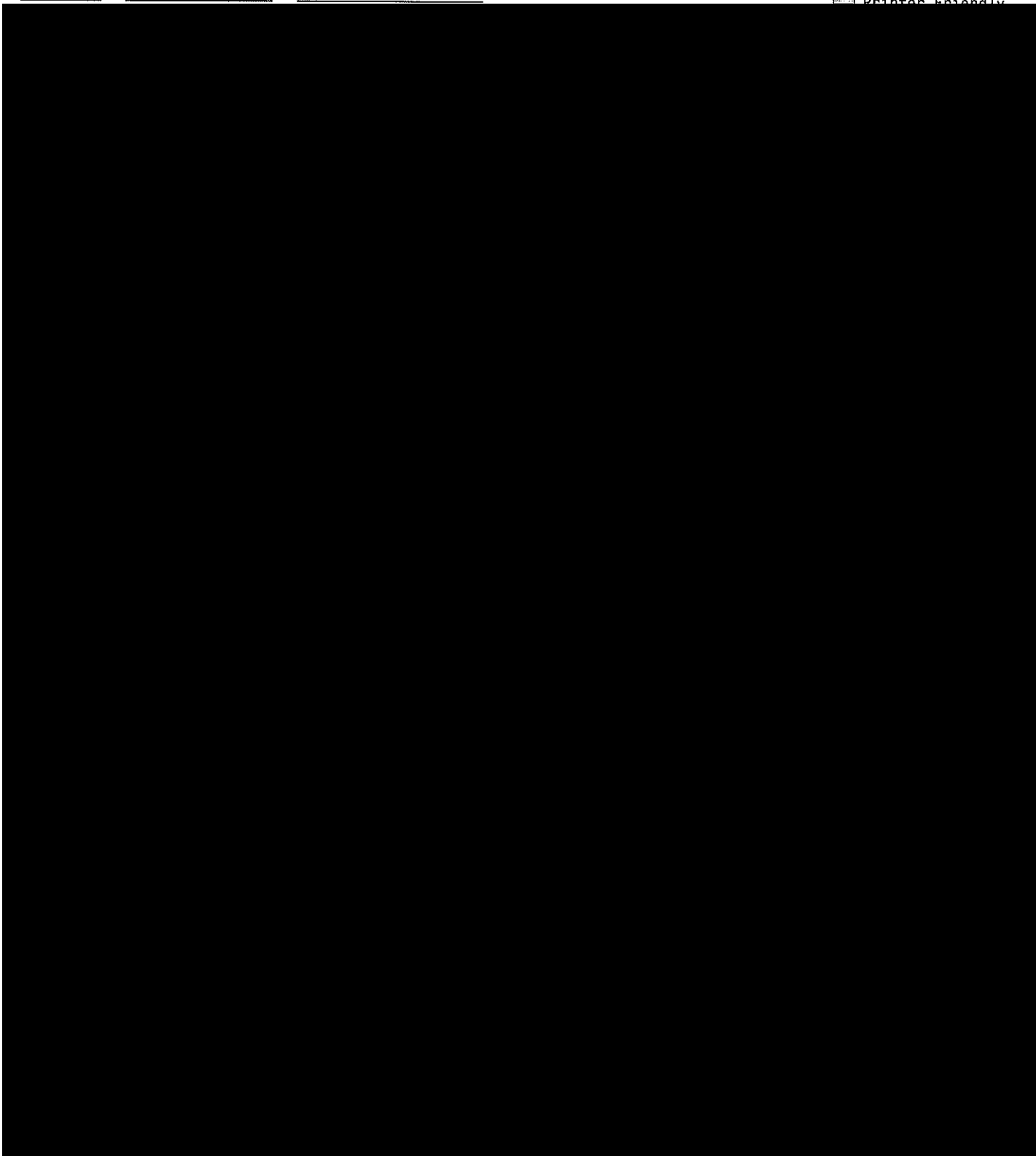




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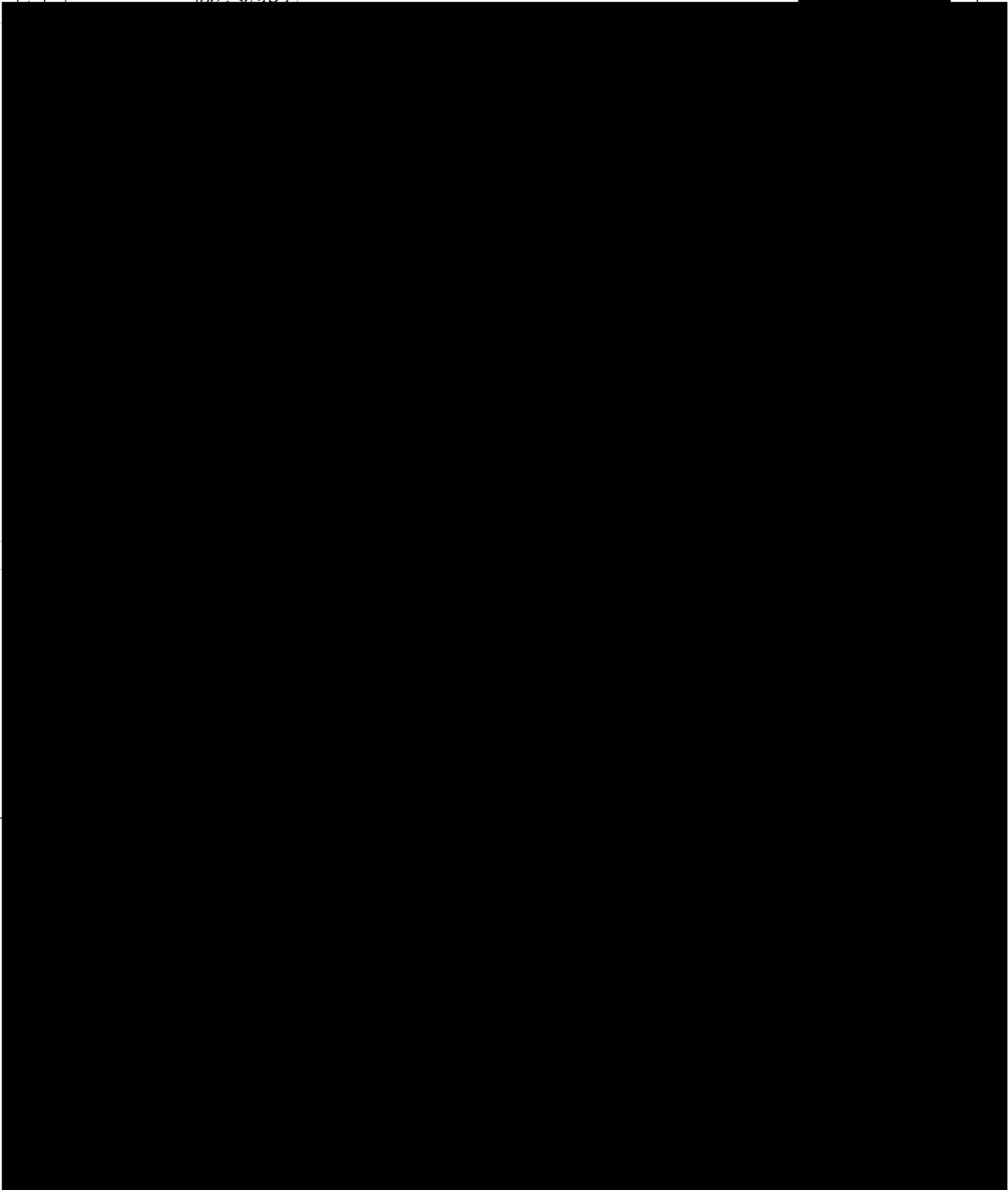
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ARREST/JUVENILE CONTACT REPORT

Bail  
\$5,000.00

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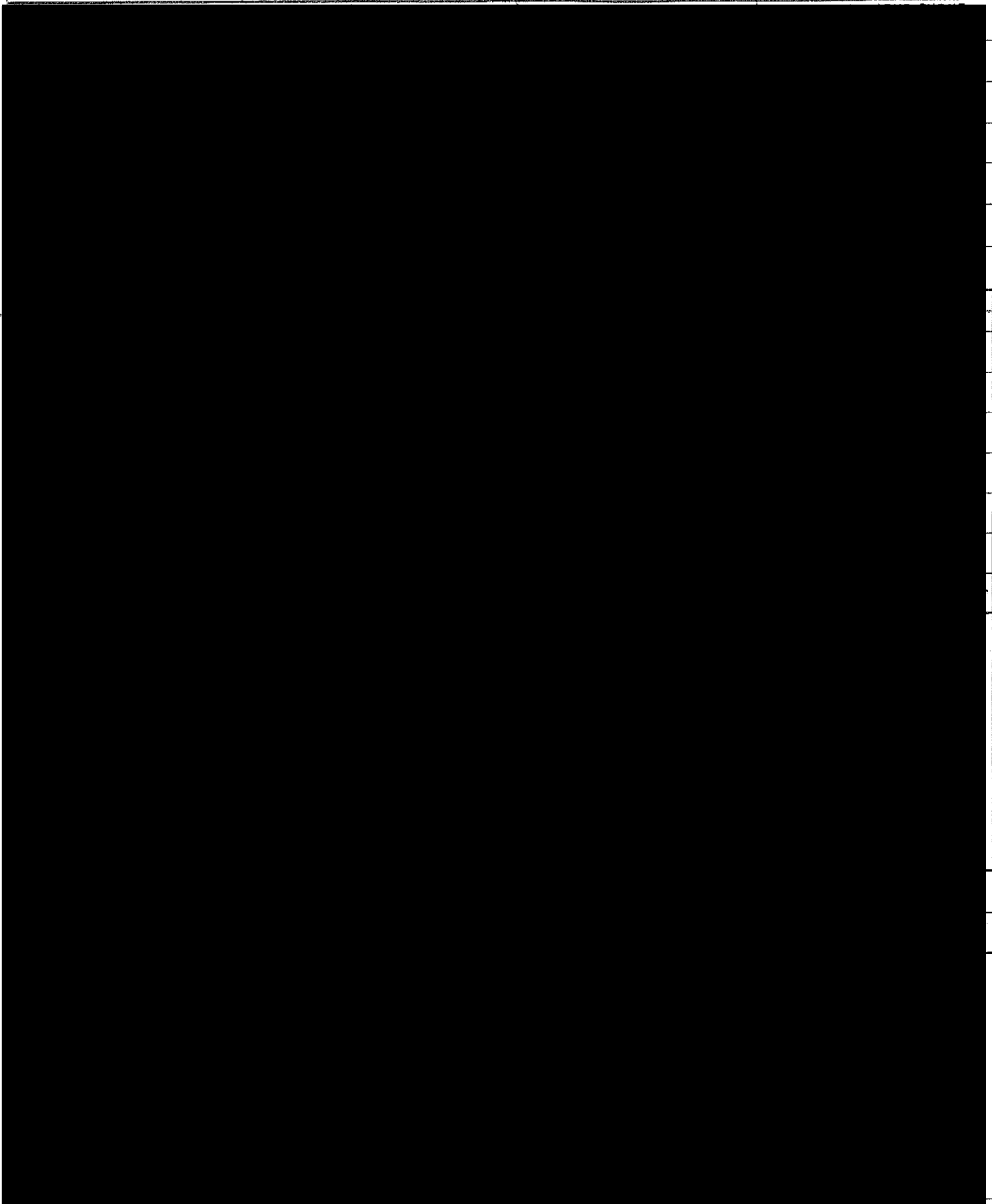
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RACE A: OTHER ASIAN D: CAMBODIAN H: HISPANIC K: KOREAN P: PACIFIC U: HAWAIIAN Z: ASIAN  
CODE B: BLACK F: FILIPINO I: INDIAN L: LAOTIAN ISLANDER V: VIETNAMESE INDIAN  
LEGEND C: CHINESE G: GUAMANIAN J: JAPANESE O: OTHER S: SAMOAN W: WHITE

AGENCY NUMBER

[REDACTED]



*Booking Date/Time*  
10/28/11  
01:08:00

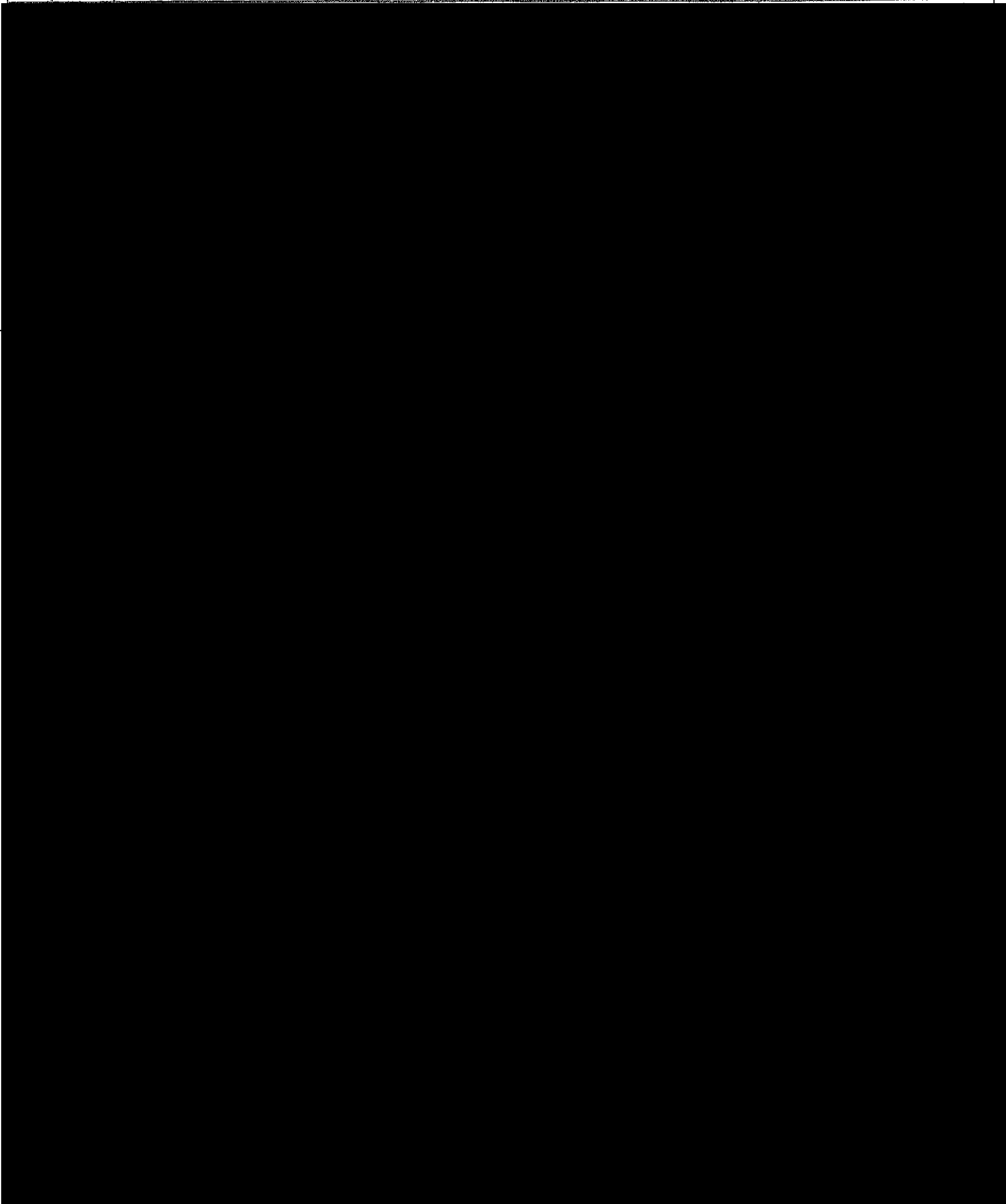
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ARREST/JUVENILE CONTACT REPORT

*Bail*  
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AGENCY NUMBER

RACE A= OTHER ASIAN D= CAMBODIAN H= HISPANIC K= KOREAN P= PACIFIC U= HAWAIIAN Z= ASIAN  
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LEGEND C= CHINESE G= GUAMANIAN J= JAPANESE O= OTHER S= SAMOAN W= WHITE

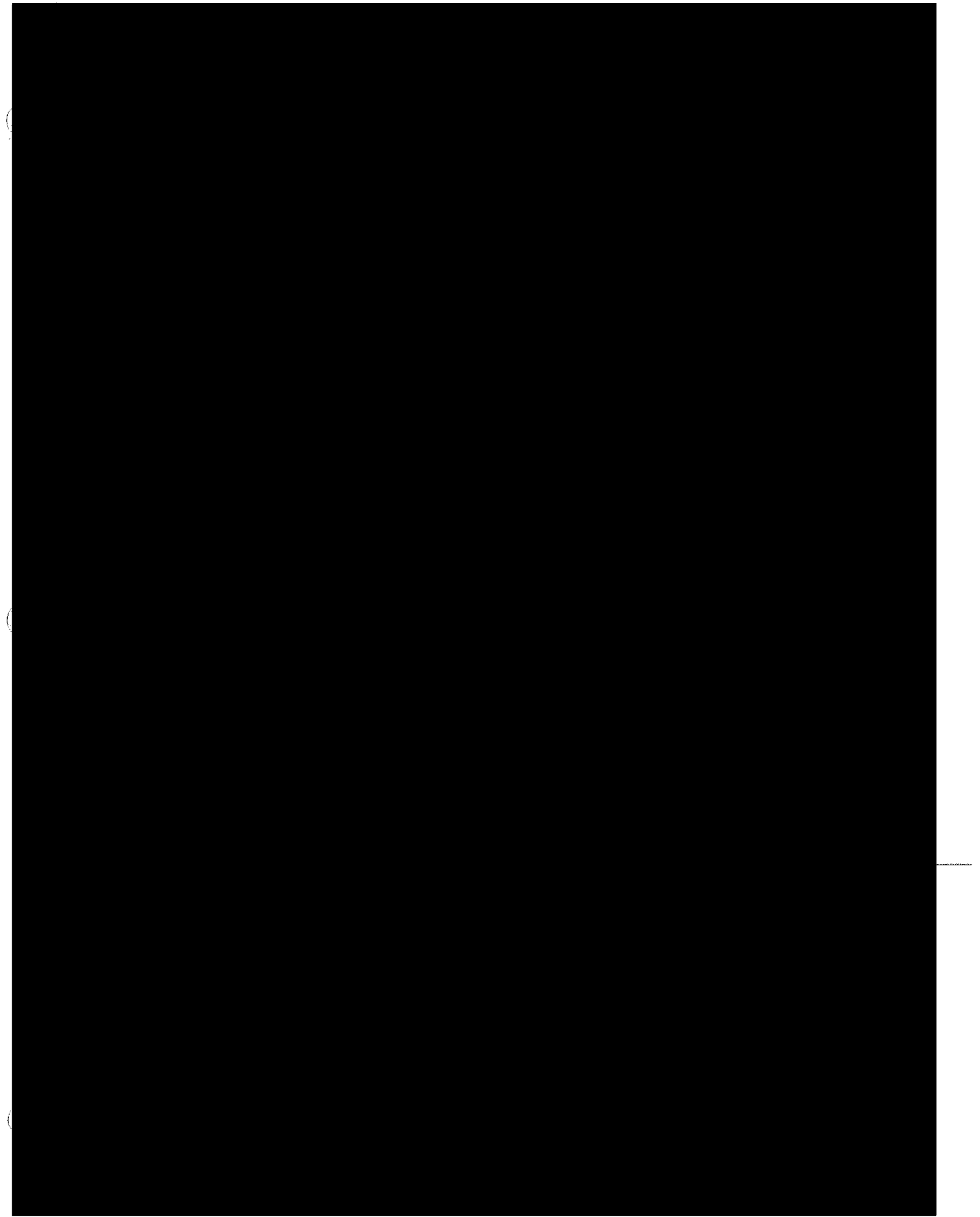
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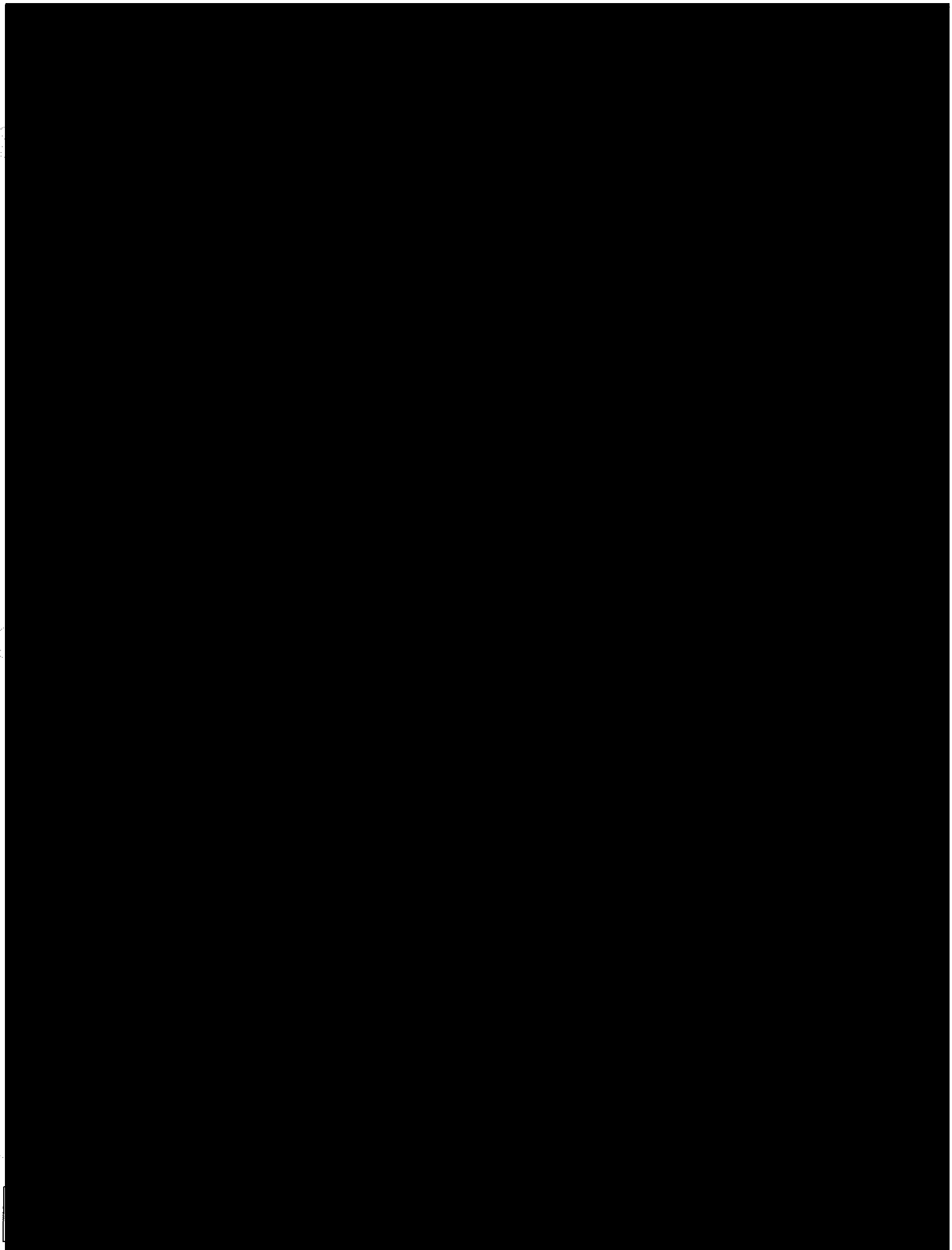
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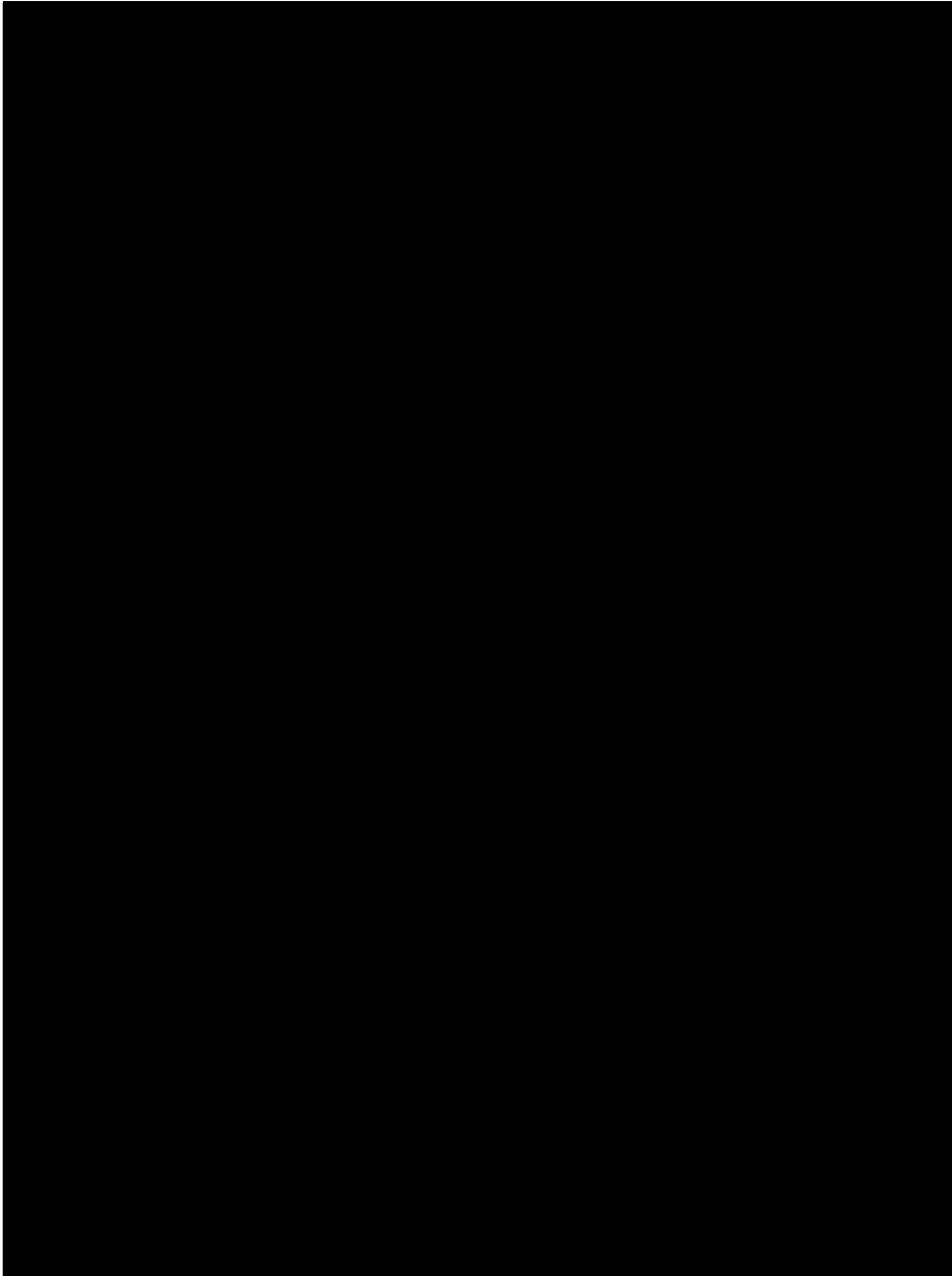
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CITY OF  
**CARLSBAD**  
Police Department

## *Confidential Memorandum*

April 18<sup>th</sup>, 2013

TO: Sergeant Rich Beronda

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division

RE: **INTERNAL AFFAIRS INVESTIGATION 13-07**

---

This is to inform you that a complaint has been received against an officer of this department and you have been identified as a potential witness. Due to the nature of the complaint you will be interviewed to determine if you can provide any relevant information. I have scheduled your interview for **Thursday, April 18<sup>th</sup>, 2013 at 1730 Hours** in my office.

Even though you are not the subject of this investigation, you will be allowed to have a representative of your choice present during your interview if you desire. Your representative may be an attorney, a member of the Police Association, or anyone else not connected with this investigation. If your representative is not an attorney, you must notify me who you would like to represent you prior to contacting them or discussing this investigation with them. This will ensure that the person selected is not connected to this investigation. Should you have any questions or concerns contact me.

On behalf of the Chief of Police, I am officially ordering you of the following: Do not discuss this investigation or the allegations with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. This includes but is not limited to, any conversation either in person, by telephone, or any written or electronic communication, either on or off duty. Your failure to abide by this order will be deemed insubordination, pursuant to Carlsbad Police Department Policy § 340.3.5(e) - Performance, and may result in discipline, up to and including termination. RB (Initial)

I have received a copy of this memorandum and I agree to comply with the orders issued.

Signed: R-L B L Date: 4-18-13

# INTERVIEW ADMONITION FOR PEACE OFFICERS

## WITNESS

### START RECORDING

I am Sergeant Williams and I am the officer in charge of this investigation for the Carlsbad Police Department.

Today's date is April 18<sup>th</sup>, 2013. The current time is 1629.

We are in my office at the Carlsbad Police station.

☐ No one will be assisting me with this interview today.

☒ Sergeant Jackowski is also present and will be assisting with this interview.

Present at this interview is Sergeant Beronda.

☐ N/A is also present and is being permitted to act as your representative.

☐ Are (both of) you aware that representation at this point is not an afforded right under the Peace Officer's Bill of Rights because you are a witness officer? A: \_\_\_\_\_.

This interview is being recorded.

The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14<sup>th</sup>, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights.

Q: Sergeant Beronda, do you understand what I just read to you? A: yes

Q: Do you have any questions regarding what I read? A: no

### BEGIN QUESTIONING

I have no further questions at this time. On behalf of the Chief of Police, I am ordering ~~(both of)~~ you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone ~~(other than each other.)~~ However, you may speak with legal counsel should you choose to consult an attorney.

Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action, up to and including termination. Sergeant Beronda, do you understand? A: yes

This order will remain in effect indefinitely due to the nature of the investigation.

This concludes the interview. The time now is 1713.

### STOP RECORDING



CITY OF  
**CARLSBAD**  
Police Department

## *Confidential Memorandum*

April 18<sup>th</sup>, 2013

TO: Lt. Bruce May

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division

RE: **INTERNAL AFFAIRS INVESTIGATION 13-IA-07**

---

This is to inform you that a complaint has been received against an officer of this department and you have been identified as a potential witness. Due to the nature of the complaint you will be interviewed to determine if you can provide any relevant information. I have scheduled your interview for **Thursday, April 18<sup>th</sup>, 2013 at 1800 Hours** in my office.

Even though you are not the subject of this investigation, you will be allowed to have a representative of your choice present during your interview if you desire. Your representative may be an attorney, a member of the Police Association, or anyone else not connected with this investigation. If your representative is not an attorney, you **must** notify me who you would like to represent you **prior** to contacting them or discussing this investigation with them. This will ensure that the person selected is not connected to this investigation. Should you have any questions or concerns contact me.

On behalf of the Chief of Police, I am officially ordering you of the following: Do not discuss this investigation or the allegations with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. This includes but is not limited to, any conversation either in person, by telephone, or any written or electronic communication, either on or off duty. Your failure to abide by this order will be deemed insubordination, pursuant to Carlsbad Police Department Policy § 340.3.5(e) - Performance, and may result in discipline, up to and including termination. *B May* (Initial)

I have received a copy of this memorandum and I agree to comply with the orders issued.

Signed: B - May

Date: 04/18/13

# INTERVIEW ADMONITION FOR PEACE OFFICERS

## WITNESS

### START RECORDING

I am Sergeant Williams and I am the officer in charge of this investigation for the Carlsbad Police Department.

Today's date is April 18<sup>th</sup>, 2013. The current time is 1805.

We are in my office at the Carlsbad Police station.

☐ No one will be assisting me with this interview today.

☒ Sergeant Jackowski is also present and will be assisting with this interview.

Present at this interview is Lt. May.

☐ N/A is also present and is being permitted to act as your representative.

☐ Are (both of) you aware that representation at this point is not an afforded right under the Peace Officer's Bill of Rights because you are a witness officer? A: \_\_\_\_\_.

This interview is being recorded.

The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14<sup>th</sup>, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights.

Q: Lt. May, do you understand what I just read to you? A: Yes

Q: Do you have any questions regarding what I read? A: NO

### BEGIN QUESTIONING

I have no further questions at this time. On behalf of the Chief of Police, I am ordering ~~(both of)~~ you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone ~~(other than each other.)~~ However, you may speak with legal counsel should you choose to consult an attorney.

Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action, up to and including termination. Lt. May, do you understand? A:

Yes  
This order will remain in effect indefinitely due to the nature of the investigation.

This concludes the interview. The time now is 1825.

### STOP RECORDING



CITY OF  
**CARLSBAD**  
Police Department

*Confidential Memorandum*

April 18<sup>th</sup>, 2013

TO: Officer Taryn Sisco

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division

RE: **INTERNAL AFFAIRS INVESTIGATION 13-IA-07**

---

An administrative investigation is currently being conducted into events which allegedly occurred on March 14<sup>th</sup>, 2013. It is alleged that you provided false information to your supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013, in violation of the following department policy sections:

**340.3.5 PERFORMANCE**

- (i) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction and/or mutilation of any department record, book, paper or document.
- (o) Criminal, dishonest, infamous or disgraceful conduct adversely affecting the employee/employer relationship, whether on- or off-duty.
- (p) Failure to disclose or misrepresenting material facts, or the making of any false or misleading statement on any application, examination form, or other official document, report or form or during the course of any work-related investigation.
- (aa) Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its members.
- (ad) Giving false or misleading statements, or misrepresenting or omitting material information to a supervisor, or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (m) Any knowing or negligent violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. The Department shall make this manual available to all employees. Employees shall

RE: INTERNAL AFFAIRS INVESTIGATION 13-IA-07

familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.

To wit:

#### **344.1.1 REPORT PREPARATION**

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

On behalf of the Chief of Police, I am ordering you to report to my office on **Thursday, April 25<sup>th</sup>, 2013 at 1700 hours** to answer questions relating to this administrative investigation. Failure to appear will be considered an act of insubordination and can be an independent basis for disciplinary action, up to and including dismissal.

I am the fact-finder in this investigation. Sergeant Jackowski will assist with this interview. If Sergeant Jackowski is unavailable to assist in this interview, Lieutenant Mendes will assist with the interview. Under no circumstances will there be more than two interviewers.

The investigative interview will be recorded. You will have access to the recording if any further proceedings are contemplated or prior to any further investigative interview at a subsequent time. You have the right to bring your own recording device and record any and all aspects of the investigative interview.

You have the right to be represented by a representative of your choice who may be present at all times during the investigative interview. This representative shall not be a person subject to the same investigation. If your representative is not an attorney, you **must** notify me who you would like to represent you **prior** to contacting them or discussing this investigation with them. This will ensure that the person selected is not connected to this investigation.

RE: INTERNAL AFFAIRS INVESTIGATION 13-IA-07

You are ordered not to discuss this investigation or its subject matter with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy.

Failure to comply fully with the provision of this notice shall be deemed an act of insubordination, and may result in disciplinary action, up to and including dismissal.

Please contact me if you have any question prior to the interview.

Respectfully,

*M. WILLIAMS #5221*

Sergeant Mickey Williams

I have received a copy of this memorandum and I agree to comply with the orders issued.

Signed: *Tang D...* Date: 04-18-13

# INTERVIEW ADMONITION FOR PEACE OFFICERS

## NON-CRIMINAL ACTION

### START RECORDING

I am Sergeant Mickey Williams and I am the officer in charge of this investigation for the Carlsbad Police Department. We are in my office at the Carlsbad Police station.

- ☐ No one will be assisting me with this interview today.
- ☒ Lt. Paul Mendes is also present and will be assisting with this interview.

Present at this interview is Officer Taryn Sisco.

- ☒ Attorney Ken Yuwiler is also present and will be acting as your representative / legal counsel.

☐ If the employee chooses not to have a representative, indicate so on the recording by stating:

\_\_\_\_\_, do you understand per Government Code § 3303(i) as the accused in this matter you have the right to have a representative present during this interview? A: \_\_\_\_\_.

Are you waiving your right to have a representative present? A: \_\_\_\_\_.

Today's date is April 23<sup>rd</sup>, 2013. The current time is 1816.

Pursuant to Government Code § 3303(g), I am recording this interview. Officer Sisco, you have the right to record the interview as well.

Are you taking any medication which would cause you to be unable to understand and respond truthfully and fully to the questions that will be asked of you? A: NO

Have you failed to take any prescription or other medication which would assist you to understand and respond truthfully and fully to the questions that will be asked of you? A: NO

Are you suffering from any physical or mental condition that will cause you to be unable to understand and respond truthfully and fully to the questions that will be asked of you? A: NO

The purpose of this interview is to discuss IA case # 13-IA-07.

The allegations focus on, but are not limited to Carlsbad Police Department Policies: 340.3.5-PERFORMANCE, subsections (i), (o), (p), (aa), and (ad), and 344.1.1 REPORT PREPARATION.

The nature of this investigation is: It is alleged that you provided false information to your supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013, in violation of the aforementioned department policy sections.

### LYBARGER ADMONISHMENT

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. I am not questioning you for the purpose of instituting a criminal complaint against you. If, however, during the course of this questioning you disclose information, which indicates that you may be guilty of criminal misconduct, neither your self-incriminating statements nor the fruits of any self-incriminating statements you make to me will be used in any criminal legal proceedings.

Q. Officer Sisco, do you understand what I just read to you? A: yes  
Q. Do you have any questions regarding what I read? A: no

On behalf of the Chief of Police, I now order you to completely and truthfully answer my questions. Failure to answer my questions will be deemed insubordination and will subject you to discipline, up to and including termination.

Q. Do you understand? A: yes

### BEGIN QUESTIONING

I have no further questions at this time. On behalf of the Chief of Police, I am ordering you not to discuss this investigation or its subject matter with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. Doing so would be insubordination and by itself would subject you to disciplinary action, up to and including termination. Do you understand?

A: yes

This order will be automatically lifted when you are given notice of the findings by your division commander.

This concludes the interview. The time now is 2004.

### STOP RECORDING



CITY OF  
**CARLSBAD**  
Police Department

## *Confidential Memorandum*

April 23<sup>rd</sup>, 2013

TO: Officer Taryn Sisco

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division Sergeant

RE: **NOTICE OF PAID ADMINISTRATIVE LEAVE AND RELATED ORDERS; 13-IA-07**

---

The purpose of this CONFIDENTIAL MEMORANDUM is to provide you with notice that effective immediately upon its service; your work status is converted to that of paid administrative leave. Said status shall remain in full force and effect until modified in writing. Your placement in a paid administrative leave capacity is in relation to the matters being investigated by the Department in Internal Affairs Investigation 13-IA-07.

On behalf of the Chief of Police, until otherwise advised in writing, THE FOLLOWING ORDERS SHALL GOVERN YOUR PAID ADMINISTRATIVE LEAVE STATUS:

1. You are relieved of any and all peace officer powers and duties;
2. You are prohibited from performing any peace officer functions on behalf of the City of Carlsbad;
3. You are not authorized to carry a concealed weapon;
4. You are required to immediately relinquish your badges, identification/access cards, Department weapons, Department radio, Department cell phone, Department computer and any and all keys to City facilities;
5. You are prohibited from entering any part of any City facility which is not open to the general public;
6. You are required to initiate telephone contact with me via my office telephone 760-931-2178, daily (Monday through Friday, excluding holidays), between 0800 and 1700 hours, unless otherwise directed by me. If I do not answer your telephone call you shall leave a voicemail message for me advising me that you have called;

**NOTICE OF PAID ADMINISTRATIVE LEAVE AND RELATED ORDERS; 13-IA-07**

7. You are prohibited from discussing any aspect of Internal Affairs Investigation 13-IA-07 with any employees of the City of Carlsbad. Inasmuch as you have relatives and/or a social relationship with persons employed by the City, it is imperative that you understand that this particular order specifically prohibits your discussion of any aspect of this investigation with any such individual. You may discuss this case with your representative, legal counsel, medical or mental health professionals, your spouse or clergy.

**FAILURE TO COMPLY FULLY WITH THE PROVISIONS OF THIS NOTICE SHALL BE DEEMED AN ACT OF INSUBORDINATION, AND MAY RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING DISMISSAL.**

Received and acknowledged by (print name): TARYN SISCO

Signature: 

Date: 042313 Time: 2020



CITY OF  
**CARLSBAD**  
Police Department

## *Confidential Memorandum*

April 25<sup>th</sup>, 2013

TO: Sergeant Steve Thomas

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division

RE: **INTERNAL AFFAIRS INVESTIGATION 13-IA-07**

---

This is to inform you that a complaint has been received against an officer of this department and you have been identified as a potential witness. Due to the nature of the complaint you will be interviewed to determine if you can provide any relevant information. I have scheduled your interview for **Friday, April 26<sup>th</sup>, 2013 at 1300 hours** in my office.

Even though you are not the subject of this investigation, you will be allowed to have a representative of your choice present during your interview if you desire. Your representative may be an attorney, a member of the Police Association, or anyone else not connected with this investigation. If your representative is not an attorney, you **must** notify me who you would like to represent you **prior** to contacting them or discussing this investigation with them. This will ensure that the person selected is not connected to this investigation. Should you have any questions or concerns contact me.

On behalf of the Chief of Police, I am officially ordering you of the following: **Do not discuss this investigation or the allegations with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. This includes but is not limited to, any conversation either in person, by telephone, or any written or electronic communication, either on or off duty. Your failure to abide by this order will be deemed insubordination, pursuant to Carlsbad Police Department Policy § 340.3.5(e) - Performance, and may result in discipline, up to and including termination.** SW (Initial)

I have received a copy of this memorandum and I agree to comply with the orders issued.

Signed: \_\_\_\_\_

Date: 4-25-13

# INTERVIEW ADMONITION FOR PEACE OFFICERS

## WITNESS

### START RECORDING

I am Sergeant Williams and I am the officer in charge of this investigation for the Carlsbad Police Department.

Today's date is April 26<sup>th</sup>, 2013. The current time is 1304.

We are in my office at the Carlsbad Police station.

☒ No one will be assisting me with this interview today.

☐ \_\_\_\_\_ is also present and will be assisting with this interview.

Present at this interview is Sergeant Thomas.

☐ N/A is also present and is being permitted to act as your representative.

☐ Are (both of) you aware that representation at this point is not an afforded right under the Peace Officer's Bill of Rights because you are a witness officer? A: \_\_\_\_\_.

This interview is being recorded.

The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14<sup>th</sup>, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights.

Q: Sergeant Thomas, do you understand what I just read to you? A: yes

Q: Do you have any questions regarding what I read? A: No

### BEGIN QUESTIONING

I have no further questions at this time. On behalf of the Chief of Police, I am ordering (both of) you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone (other than each other.) However, you may speak with legal counsel should you choose to consult an attorney.

Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action, up to and including termination. Sergeant Thomas, do you understand? A: yes

This order will remain in effect indefinitely due to the nature of the investigation.

This concludes the interview. The time now is 1309.

### STOP RECORDING



**CITY OF  
CARLSBAD**  
Police Department

## *Confidential Memorandum*

May 1<sup>st</sup>, 2013

TO: Sgt. Jade Chase

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division

RE: **INTERNAL AFFAIRS INVESTIGATION 13-IA-07**

---

This is to inform you that a complaint has been received against an officer of this department and you have been identified as a potential witness. Due to the nature of the complaint you will be interviewed to determine if you can provide any relevant information. I have scheduled your interview for **Wednesday, May 1<sup>st</sup>, 2013 at 1530 hours** in my office.

Even though you are not the subject of this investigation, you will be allowed to have a representative of your choice present during your interview if you desire. Your representative may be an attorney, a member of the Police Association, or anyone else not connected with this investigation. If your representative is not an attorney, you must notify me who you would like to represent you prior to contacting them or discussing this investigation with them. This will ensure that the person selected is not connected to this investigation. Should you have any questions or concerns contact me.

On behalf of the Chief of Police, I am officially ordering you of the following: Do not discuss this investigation or the allegations with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. This includes but is not limited to, any conversation either in person, by telephone, or any written or electronic communication, either on or off duty. Your failure to abide by this order will be deemed insubordination, pursuant to Carlsbad Police Department Policy § 340.3.5(e) - Performance, and may result in discipline, up to and including termination. JWC (Initial)

I have received a copy of this memorandum and I agree to comply with the orders issued.

Signed: Jade Chase Date: 5/1/13

# INTERVIEW ADMONITION FOR PEACE OFFICERS

## WITNESS

### START RECORDING

I am Sergeant Williams and I am the officer in charge of this investigation for the Carlsbad Police Department.

Today's date is May 1<sup>st</sup>, 2013. The current time is 1532.

We are in my office at the Carlsbad Police station.

☐ No one will be assisting me with this interview today.

☒ Sergeant Jackowski is also present and will be assisting with this interview.

Present at this interview is Sgt. Chase.

☐ N/A is also present and is being permitted to act as your representative.

☐ Are (both of) you aware that representation at this point is not an afforded right under the Peace Officer's Bill of Rights because you are a witness officer? A: \_\_\_\_\_

This interview is being recorded.

The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14<sup>th</sup>, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights.

Q: Sgt. Chase, do you understand what I just read to you? A: yes I do

Q: Do you have any questions regarding what I read? A: NO

### BEGIN QUESTIONING

I have no further questions at this time. On behalf of the Chief of Police, I am ordering (both of) you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone (other than each other.) However, you may speak with legal counsel should you choose to consult an attorney.

Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action, up to and including termination. Sgt. Chase, do you understand? A:

yes

This order will remain in effect indefinitely due to the nature of the investigation.

This concludes the interview. The time now is 1542.

### STOP RECORDING



CITY OF  
**CARLSBAD**  
Police Department

## *Confidential Memorandum*

May 1<sup>st</sup>, 2013

TO: Officer Matt Thompson

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division

RE: **INTERNAL AFFAIRS INVESTIGATION 13-IA-07**

---

This is to inform you that a complaint has been received against an officer of this department and you have been identified as a potential witness. Due to the nature of the complaint you will be interviewed to determine if you can provide any relevant information. I have scheduled your interview for **Thursday, May 9<sup>th</sup>, 2013 at 1600 Hours** in my office.

Even though you are not the subject of this investigation, you will be allowed to have a representative of your choice present during your interview if you desire. Your representative may be an attorney, a member of the Police Association, or anyone else not connected with this investigation. If your representative is not an attorney, you **must** notify me who you would like to represent you **prior** to contacting them or discussing this investigation with them. This will ensure that the person selected is not connected to this investigation. Should you have any questions or concerns contact me.

On behalf of the Chief of Police, I am officially ordering you of the following: Do not discuss this investigation or the allegations with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. This includes but is not limited to, any conversation either in person, by telephone, or any written or electronic communication, either on or off duty. Your failure to abide by this order will be deemed insubordination, pursuant to Carlsbad Police Department Policy § 340.3.5(e) - Performance, and may result in discipline, up to and including termination. MW (Initial)

I have received a copy of this memorandum and I agree to comply with the orders issued.

Signed: MW Date: 5-1-13

# INTERVIEW ADMONITION FOR PEACE OFFICERS

## WITNESS

### START RECORDING

I am Sergeant Williams and I am the officer in charge of this investigation for the Carlsbad Police Department.

Today's date is May 9<sup>th</sup>, 2013. The current time is 1607.

We are in my office at the Carlsbad Police station.

☐ No one will be assisting me with this interview today.

☒ Lt. Mendes is also present and will be assisting with this interview.

Present at this interview is Officer Matt Thompson.

☐ N/A is also present and is being permitted to act as your representative.

☐ Are (both of) you aware that representation at this point is not an afforded right under the Peace Officer's Bill of Rights because you are a witness officer? A: \_\_\_\_\_.

This interview is being recorded.

The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14<sup>th</sup>, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights.

Q: Officer Thompson, do you understand what I just read to you? A: I DO

Q: Do you have any questions regarding what I read? A: NO

### BEGIN QUESTIONING

I have no further questions at this time. On behalf of the Chief of Police, I am ordering (~~both of~~) you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone (~~other than each other.~~) However, you may speak with legal counsel should you choose to consult an attorney.

Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action, up to and including termination. Officer Thompson, do you understand? A: I DO

This order will remain in effect indefinitely due to the nature of the investigation.

This concludes the interview. The time now is 1632.

### STOP RECORDING



CITY OF  
**CARLSBAD**  
Police Department

## *Confidential Memorandum*

May 1<sup>st</sup>, 2013

TO: Officer Michael Torres

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division

RE: **INTERNAL AFFAIRS INVESTIGATION 13-IA-07**

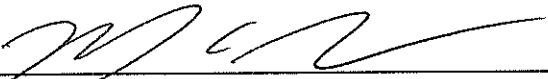
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This is to inform you that a complaint has been received against an officer of this department and you have been identified as a potential witness. Due to the nature of the complaint you will be interviewed to determine if you can provide any relevant information. I have scheduled your interview for **Thursday, May 9<sup>th</sup>, 2013 at 1630 Hours** in my office.

Even though you are not the subject of this investigation, you will be allowed to have a representative of your choice present during your interview if you desire. Your representative may be an attorney, a member of the Police Association, or anyone else not connected with this investigation. If your representative is not an attorney, you must notify me who you would like to represent you prior to contacting them or discussing this investigation with them. This will ensure that the person selected is not connected to this investigation. Should you have any questions or concerns contact me.

On behalf of the Chief of Police, I am officially ordering you of the following: Do not discuss this investigation or the allegations with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. This includes but is not limited to, any conversation either in person, by telephone, or any written or electronic communication, either on or off duty. Your failure to abide by this order will be deemed insubordination, pursuant to Carlsbad Police Department Policy § 340.3.5(e) - Performance, and may result in discipline, up to and including termination. mm (Initial)

I have received a copy of this memorandum and I agree to comply with the orders issued.

Signed:  Date: 5.1-13

# INTERVIEW ADMONITION FOR PEACE OFFICERS

## WITNESS

### START RECORDING

I am Sergeant Williams and I am the officer in charge of this investigation for the Carlsbad Police Department.

Today's date is May 9<sup>th</sup>, 2013. The current time is 1642.

We are in my office at the Carlsbad Police station.

- ☐ No one will be assisting me with this interview today.  
☒ Lt. Mendes is also present and will be assisting with this interview.

Present at this interview is Officer Michael Torres.

- ☒ OFF. DEEPAK HARVEY is also present and is being permitted to act as your representative.  
☐ Are (both of) you aware that representation at this point is not an afforded right under the Peace Officer's Bill of Rights because you are a witness officer? A: \_\_\_\_\_.

This interview is being recorded.

The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14<sup>th</sup>, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights.

Q: Officer Torres, do you understand what I just read to you? A: YES  
Q: Do you have any questions regarding what I read? A: NO

### BEGIN QUESTIONING

I have no further questions at this time. On behalf of the Chief of Police, I am ordering (both of) you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone (other than each other.) However, you may speak with legal counsel should you choose to consult an attorney.

Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action, up to and including termination. Officer Torres, do you understand?

A: YES

This order will remain in effect indefinitely due to the nature of the investigation.

This concludes the interview. The time now is 1655.

### STOP RECORDING



CITY OF  
**CARLSBAD**  
Police Department

## *Confidential Memorandum*

May 1<sup>st</sup>, 2013

TO: Officer Justin Richards

FROM: Sergeant Mickey Williams  
Professional Standards and Services Division

RE: **INTERNAL AFFAIRS INVESTIGATION 13-IA-07**

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This is to inform you that a complaint has been received against an officer of this department and you have been identified as a potential witness. Due to the nature of the complaint you will be interviewed to determine if you can provide any relevant information. I have scheduled your interview for **Thursday, May 9<sup>th</sup>, 2013 at 1700 Hours** in my office.

Even though you are not the subject of this investigation, you will be allowed to have a representative of your choice present during your interview if you desire. Your representative may be an attorney, a member of the Police Association, or anyone else not connected with this investigation. If your representative is not an attorney, you must notify me who you would like to represent you prior to contacting them or discussing this investigation with them. This will ensure that the person selected is not connected to this investigation. Should you have any questions or concerns contact me.

On behalf of the Chief of Police, I am officially ordering you of the following: Do not discuss this investigation or the allegations with anyone other than your representative, legal counsel, medical or mental health professionals, family members or clergy. This includes but is not limited to, any conversation either in person, by telephone, or any written or electronic communication, either on or off duty. Your failure to abide by this order will be deemed insubordination, pursuant to Carlsbad Police Department Policy § 340.3.5(e) - Performance, and may result in discipline, up to and including termination. JK (Initial)

I have received a copy of this memorandum and I agree to comply with the orders issued.

Signed: \_\_\_\_\_

Date: 5-1-13

# INTERVIEW ADMONITION FOR PEACE OFFICERS

## WITNESS

### START RECORDING

I am Sergeant Williams and I am the officer in charge of this investigation for the Carlsbad Police Department.

Today's date is May 9<sup>th</sup>, 2013. The current time is 1704.

We are in my office at the Carlsbad Police station.

☐ No one will be assisting me with this interview today.

☒ Lt. Mendes is also present and will be assisting with this interview.

Present at this interview is Officer Justin Richards.

☐ N/A is also present and is being permitted to act as your representative.

☐ Are (both of) you aware that representation at this point is not an afforded right under the Peace Officer's Bill of Rights because you are a witness officer? A: \_\_\_\_\_.

This interview is being recorded.

The purpose of this interview is to discuss an allegation of misconduct by Officer Taryn Sisco on March 14<sup>th</sup>, 2013. Specifically it is alleged that Officer Sisco provided false information to her supervisor, and authored either a false or inaccurate police report related to an incident that occurred on March 14<sup>th</sup>, 2013.

Today's questioning concerns administrative matters relating to the official business of the Carlsbad Police Department. On behalf of the Chief of Police, I now order you to answer my questions completely and truthfully. If at any point I determine your involvement is more than that of a witness, I will stop the interview and we will reschedule for a later time wherein you will be provided with all the rights afforded to an accused officer per the Peace Officer Bill of Rights.

Q: Officer Richards, do you understand what I just read to you? A: yes

Q: Do you have any questions regarding what I read? A: NO

### BEGIN QUESTIONING

I have no further questions at this time. On behalf of the Chief of Police, I am ordering (both of) you not to disclose anything we discussed during this interview or anything regarding this investigation with anyone (other than each other.) However, you may speak with legal counsel should you choose to consult an attorney.

Disclosure of anything we discussed during this interview would be considered insubordination and by itself would subject you to disciplinary action, up to and including termination. Officer Richards, do you understand? A: yes

This order will remain in effect indefinitely due to the nature of the investigation.

This concludes the interview. The time now is 1713.

### STOP RECORDING